

Huntingdonshire District Council Community Infrastructure Levy: Draft Charging Schedule

Statement of Representations

Summary of Main Issues

Huntingdonshire District Council: Summary of Main Issues Raised

1.0 Introduction

1.1 At a meeting of Huntingdonshire District Council Cabinet on 17th November 2011, it was resolved that the Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule be approved for a statutory consultation period in November/December 2011. The period of public representation commenced on Wednesday 23rd November 2011 and concluded at 5.00 pm on Tuesday 3rd January 2012. In accordance with the CIL Regulations 2010 (as amended), this statement sets out how many representations were made on the Draft Charging Schedule and summarises the main issues the representations raised.

Representation Period

1.3 At the beginning of the representation period, and in accordance with the CIL Regulations 2010 (as amended), copies of the Draft Charging Schedule, the evidence used to develop the Draft Charging Schedule, Background Paper, Comments Form, Statement of Representations Procedure and Guidance Notes and Public Notice were made available for inspection by the Council at:

District Council Offices at Pathfinder House, St Mary's Street, Huntingdon;
Local Libraries in Huntingdonshire;
Customer Access Points; and
On the Council's website www.huntingdonshire.gov.uk/cil

1.4 Representations on the Draft Charging Schedule could be made electronically via the planning portal (the council's preferred method of consultation), by email, by completing a comments form or by sending in written representations.

1.5 In accordance with the Regulations, the Council e-mailed all the Consultation Bodies via the planning portal to notify of the consultation start. In addition letters were also sent out to Parish and Town Councils and notification via email and meeting was given to a range of business networks, groups, organisations and individuals. A Public Notice was also placed in local newspapers and on the Council website advertising the Period of Representation.

2.0 Summary of Main Issues

2.1 The District Council received 32 representations from 24 respondents to the CIL Draft Charging Schedule within the consultation period. Table 1 below summarises the main issues raised by the representations. In addition, comments from a further 3 respondents were received out of the permitted consultation time. These have been noted separately at the end of Table 1 for information, although they do not form part of the formal responses.

2.2 Table 2 shows the representations received along with the Council response and whether any alteration to the Draft Charging Schedule to be submitted for Examination is required. The table also notes any representor who has requested for the right to be heard by the Examiner. The comments from the 3 respondents that were received out of the permitted consultation time have also been noted separately at the end of Table 2 for information, although they do not form part of the formal responses.

2.3 Copies of all representations will be made available on the Council's website.

Table 1: Summary of main issues raised

Respondent	ID	Spending of CIL	Levy rates and S106	Viability assumptions	Development deliverability	Exemptions	Infrastructure list and funding gap	CIL regulation clarifications	Other
Tom Gilbert-Wooldridge English Heritage	56252	<input checked="" type="checkbox"/>							
Tim Isaac Country Land and Business Association	34813		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				
Rose Freeman The Theatres Trust	34973		<input checked="" type="checkbox"/>						
Nicholas Wells Godmanchester Town Council	170428	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>	
Martin Page D H Barford & Co *	34433		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Janet Nuttall Natural England	34468	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		
Adam Ireland Environment Agency	34875	<input checked="" type="checkbox"/>							
Sainsburys Supermarkets Ltd Sean McGrath Indigo Planning Ltd	34926		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Harjinder Kumar Peterborough City Council	523149	<input checked="" type="checkbox"/>							
Tesco Stores & Santon Group Devs Ltd Mark Buxton *	558973		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
Janet Innes-Clarke Brampton Parish Council	618087								<input checked="" type="checkbox"/>
Gail Stoehr	618171						<input checked="" type="checkbox"/>		
Stacey Rawlings Bidwells (on behalf of	34732		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		

Respondent	ID	Spending of CIL	Levy rates and S106	Viability assumptions	Development deliverability	Exemptions	Infrastructure list and funding gap	CIL regulation clarifications	Other
Connolly Homes D.Wilson Oxford University) *									
Jennifer Dean Anglian Water Services Ltd	511199	<input checked="" type="checkbox"/>							
Paul Belton The Fairfield Partnership *	72517		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Mr Watters	246620		<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>	
Claire Wright Maxey Grounds LLP	607992		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				
Cassie Fountain Peacock & Smith Ltd (on behalf of Wm Morrison Supermarkets Plc)	558561		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				
Francesca Lasman	612216	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Wendy Hurst Lidl UK GmbH	617782		<input checked="" type="checkbox"/>						
Ian Burns NHS Cambridgeshire *	34877		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
Care UK Community Partnership Adrian Kearley AKA Planning	618174		<input checked="" type="checkbox"/>						
Gordon Hasell	438569								<input checked="" type="checkbox"/>
J Bowd Holywell-cum-Needingworth Parish Council	34718		<input checked="" type="checkbox"/>						

• Denotes any respondent to Draft Charging Schedule who has requested the right to be heard by the Examiner

Representations received after the formal consultation period had closed									
Respondent	ID	Spending of CIL	Levy rates and S106	Viability assumptions	Development deliverability	Exemptions	Infrastructure list and funding gap	CIL regulation clarifications	Other
Stuart Garnett, Savills Planning (on behalf of Gallagher Estates Ltd) *	n/a			<input checked="" type="checkbox"/>					
Deryck Irons Abbotsley Parish Council	n/a			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
Phil Copsey, David Lock Associates (on behalf of Urban and Civic)	n/a						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

Table 2: Representations received and Council response

Respondent	Comment ID	Comments	HDC Officer Response
Tom Gilbert-Wooldridge English Heritage	CIL-D5	<p>Thank you for consulting English Heritage on the draft charging schedule for the district's community infrastructure levy. We do not have any specific comments on the draft schedule itself. Our general comments made at the time of the preliminary draft charging schedule consultation (CIL-PD68) are still relevant, and we note the council's response to our views.</p> <p>We note that the background paper refers to the district council allocating a meaningful proportion of levy receipts to neighbourhoods (in line with emerging government thinking). We hope that a constructive dialogue can be established between the district council, neighbourhoods and other groups/organisations (where appropriate), to ensure that funds are put to effective use locally. This could include funding towards heritage assets within neighbourhoods, identifying specific assets and projects as well as other income streams alongside CIL. Heritage assets on the district council's Building at Risk Register and English Heritage's Heritage at Risk Register may be appropriate to target funding. Where appropriate, English Heritage would be happy to participate in discussions with neighbourhoods and the district council.</p>	<p>No Specific Comments: Confirmation of no specific comments from EH on the Draft Charging Schedule is noted.</p> <p>Project Development Support: The offer of support from English Heritage, where appropriate, to engage with neighbourhoods to discuss appropriate heritage infrastructure funding is acknowledged. This will be considered further as part of the emerging CIL governance and funding prioritisation processes.</p>
Tim Isaac Country Land and Business Association	CIL-D15	<p>We would like to comment on the following parts of the draft charging schedule:</p> <p>The CIL £0 Rate The CIL £0 rate must clearly include buildings erected for agriculture (as it now does), but also those built for horticulture and forestry purposes. This is for the same reasons as agriculture, primarily that these are not buildings into which people normally go.</p> <p>The CIL Rate of £40 for retail 500 sq m or less With farm shops in mind, liability for CIL is likely to undermine farmers from adding value to their primary purpose of growing food. CIL at £40 per sq m is unviable for farming businesses in current economic circumstances. We strongly urge you to add farm shops to the £0 rate category.</p> <p>The CIL Standard Rate of £85 for all development types unless specifically stated otherwise The CLA has major concerns with the proposal to levy a charge of £85 per sq m on all housing, presumably including that in rural areas. Our concerns fall in to two main categories:</p> <p>i) Homes for Essential Rural Workers The CLA have concerns that there is no allowance for housing needed for rural businesses such as agricultural, forestry and other essential rural workers. The CLA would like clarification that these dwellings will be treated the same as affordable housing, with a nil rate set for CIL. Our view is that the CIL should not apply to these dwellings which will have been justified as a requirement for the agricultural, forestry or other rural business to which they relate</p> <p>ii) Commercial housing It is our view that commercial housing in rural areas is being used to subsidize the increased infrastructure required for development elsewhere which is unfair, especially if the rural area concerned does not benefit from increased infrastructure. The CLA views the proposed rate as an unacceptably high charge and the impact will stop the much needed</p>	<p>Agricultural Definitions: Buildings for agricultural use are now identified as being subject to a zero rate. This was clarified by further viability testing undertaken following the Country Land and Business Association's response to the consultation on the Preliminary Draft CIL Charging Schedule consultation. The Agricultural zero rate also applies to buildings used for horticultural and forestry purposes. Whilst the appraisal shown in the Addendum Report is for an agricultural barn, the appraisal inputs are also appropriate for horticulture and forestry. Definitions of the scope of these uses will be provided.</p> <p>CIL Rate for Retail Uses: The proposed CIL retail rates apply to all new retail development.</p> <p>Homes for Essential Rural Workers: The standard rate will apply to dwellings for essential rural workers, as it does for all other private dwellings. These types of dwellings do not meet the requirement for affordable housing exemption under the legislation.</p> <p>Commercial Housing: The CIL standard rate will be applied to all new commercial housing in</p>

Respondent	Comment ID	Comments	HDC Officer Response
		<p>objective of rural rebalancing within the area. The profit margins for development of rural housing will be squeezed and make sites unviable, especially when the additional charges for affordable housing and costs to promote a site for development are included. It is our view that the £85 per sq m contribution will act as a significant disincentive for development in rural areas which, in turn, will stifle the rural economy at a time when it is desperately needed to help promote economic growth and sustainable communities. We urge you to re-think this charging policy.</p> <p>We hope our comments are clear, but should you wish to clarify or discuss any points, please do not hesitate to contact the undersigned.</p>	<p>urban and rural areas across the district. The CIL receipts will be used for prioritised infrastructure projects through the emerging CIL governance arrangements. Parish Council's, many of which are rural parishes, are likely to be eligible to receive a 'meaningful proportion' of CIL receipts generated as a result of development taking place in their parish. The DCLG's consultation on this 'meaningful proportion' closed on 30th December 2011 and the outcome is awaited.</p>
<p>Rose Freeman The Theatres Trust</p>	<p>CIL-D13</p>	<p>Our Ref.: RF/3996</p> <p>Thank you for the email from Limehouse of 23 November consulting The Theatres Trust on the CIL Draft Charging Schedule.</p> <p>The Theatres Trust is The National Advisory Public Body for Theatres. The Theatres Trust Act 1976 states that <i>'The Theatres Trust exists to promote the better protection of theatres.</i> It currently delivers statutory planning advice on theatre buildings and theatre use through the Town & Country Planning (General Development Procedure) (England) Order 2010 (DMPO), Articles 16 & 17, Schedule 5, para.(w) that requires the Trust to be consulted by local authorities on planning applications which include <i>' development involving any land on which there is a theatre .'</i></p> <p>We note the last category in the table at para.1.5 on page 1 does not include sui generis uses. To be fully informative the last section should include sui generis, such as houses in multiple occupation, hostels, theatres, retail warehouse clubs, etc.</p> <p>Drivers Jonas had advised in February 2010 that 'The change to S106 obligations seek to remove their ability to provide for funding or the provision of infrastructure projects or types of infrastructure. If local authorities want to obtain funding for infrastructure they will have to produce a charging schedule and adopt CIL prior to April 2014, effectively making CIL mandatory.'</p> <p>We look forward to being consulted on further planning policy documents.</p>	<p>CIL Standard Rate and Liability for CIL Theatre Development: Development types that are not specifically identified within the Draft Charging Schedule at paragraph 1.5, or specifically exempted, fall within the CIL Standard Rate as defined.</p>
<p>Nicholas Wells Godmanchester Town Council</p>	<p>CIL-D12</p>	<p>To keep things straightforward it seems sensible to have a simple ratio to determine how the CIL is split between Parish/Town, District and County Councils. The one ratio can be applied whatever the type and size of development.</p> <p>The ratio should be broadly in line with what it is for S106. e.g. Parish/Town Councils receive about 5-10%. In line with this, expectations of who delivers what with the CIL should be the same as they are now with S106.</p> <p>Therefore, Godmanchester Town Council require confirmation that the expectations of Parish/Town Councils in terms of use of CIL are essentially only around provision of public leisure facilities within the town (but not within the development itself) for all ages and at the moment also public toilet provision in Godmanchester.</p> <p>Huntingdon District Council's and Cambridgeshire County Council's responsibilities would stay the same as they are now, i.e. everything currently outside the remit of the Parish/Town Council, so that by receiving a proportion of the CIL it's clear that the Parish/Town Council is not expected or obliged to take on any additional responsibilities.</p> <p>There should be minimal process/paperwork/administration for Parish/Town Councils to go through before funds are released.</p> <p>There should be no caveats/conditions/clawback period etc. i.e. Parish/Town Council should be free to use the funds for whatever purpose it feels is most appropriate and is</p>	<p>CIL Funding for Parish and Town Councils: Parish and Town Council's are likely to be eligible to receive a 'meaningful proportion' of CIL receipts generated as a result of development taking place in their parish. The DCLG's consultation on this 'meaningful proportion' closed on 30th December 2011 and the outcome is awaited. However, the amount of such funding, and the types of projects that it may be used for, does not form part of the Draft Charging Schedule. These issues, including the roles, rights and responsibilities of the recipients of CIL funding, will be considered further as part of the emerging CIL governance and funding prioritisation processes.</p> <p>Purpose of CIL and S106 Agreements: CIL receipts will be used to help fund a range of</p>

Respondent	Comment ID	Comments	HDC Officer Response
		<p>within its powers to do, for the benefit of the town. Huntingdon District Council should confirm now what, if any, types of evidence/information may be required to evidence Parish/Town Council's appropriate use of these funds, and confirm in what format they would be required and when. (We don't expect that any evidence will be required, as Godmanchester Town Council keep our own records to support annual audit but if there is, the Parish/Town Council need to know in advance.) Based on the current Huntingdon District Council proposals for how the CIL would be applied and last year's planning applications,</p> <p>* what proportion of Huntingdonshire developments currently outside S106 would need to pay the CIL each year? * how much money would the CIL raise in total per year? Godmanchester Town Council have struggled to understand the proposed charging calculation or how the chargeable area is calculated. * A few worked examples should be included in the policy. * Godmanchester Town Council wish to seek confirmation from Huntingdon District Council that all money obtained through the CIL from local developments, whoever it's later re-distributed to (Huntingdon District Council, Cambridgeshire County Council, Parish/Town Councils, etc.) will be spent locally to benefit Parish/Town residents, i.e. not used to fund activity in distant parts of Huntingdonshire or Cambridgeshire. S106 charges will still apply in some cases, in addition to the CIL. Therefore Parish/Town Councils should have more involvement (for developments affecting e.g. in or adjoining Parishes/Towns) in identifying potential impacts. Huntingdon District Council should involve Parish/Town Councils at the stage of early discussions so Parish/Town Councils can have access to all valid information and so they can influence the list of facilities etc. requiring funding. Huntingdon District Council should make clear during discussions, before finalising the S106 agreement for each specific development affecting Parishes/Towns, any facilities or responsibilities they are hoping Parish/Town Councils will take on in the long term.</p>	<p>prioritised community infrastructure projects across the district. S106 agreements will still be required to ensure the delivery of development specific infrastructure.</p>
<p>Martin Page D H Barford & Co</p>	<p>CIL-D22</p>	<p>Please Note: The representation from DH Barford & Co is in the format of a report.</p> <p>In summary, the DH Barford & Co representation covers the following issues:</p> <ul style="list-style-type: none"> • Up to date Core Strategy • The content of the Infrastructure Project Plan List • Viability of CIL levy rates proposed and impact on development • Calculation of chargeable floorspace <p>In addition to the comments on the Draft Charging Schedule being consulted on, comments were also made on the Background Paper. Points covered that are not already noted above are:</p> <ul style="list-style-type: none"> • Other potential funding sources • Misleading text • Double counting of CIL with S106 contributions • Land payments 	<p>Core Strategy: The Council has an up-to-date development strategy on which to base the Charging Schedule.</p> <p>Infrastructure Project list: The Infrastructure List supporting the Draft Charging Schedule is based on the needs arising from new development. It is not accepted that the infrastructure list is going beyond meeting these needs in order to address deficiencies but is very detailed clearly showing whether items are CIL or S106 to ensure no double counting takes place. Furthermore the aggregate funding gap is still of the scale to warrant a levy rate.</p> <p>The Infrastructure List also identifies alternative funding sources and deducts these from the funding gap. Reference to the New Homes Bonus has been made in Appendix 2 of the</p>

Respondent	Comment ID	Comments	HDC Officer Response
			<p>Background Paper 2011.</p> <p>CIL Rates and impact on development: The viability assessments have been carried out by a highly experienced team and clearly evidence the proposed CIL rates. The District Council considers that the rates set are appropriate and comply with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended). The rates are based on evidence and not policy. Assessments for all rates proposed are available in the Viability Report and the Addendum Report.</p> <p>Affordable housing: Land for affordable housing is not required to be passed to an Registered Provider as a serviced land parcel for nil value, and the methodology adopted is one well used and understood. The affordable housing values have been assessed using specialist software. The profit allowed within the entire appraisals are as set out in the Viability Report. Merely using a much lower sales rate would inevitable impact on viability but the rates used in the testing have been derived from market evidence as set out in the Market Report. The sizing of affordable housing units to meet size criteria means that those units do not derive best value. Build costs have been applied at the same rate as private units.</p> <p>Build Costs: The build costs have been derived from BCIS as set out in the Viability Report. If warehouse build costs were increased this would impact on viability but as the rate is already recommended to be nil this point is moot.</p> <p>Site Densities: The site densities tested were as agreed with Council planning policy officers and reflect potential densities as set out in the SHLAA.</p> <p>Land value: The £100,000 per acre does not reflect land value with planning permission. The Site 2 base value reflects the allocated but not permitted state of the site and the size.</p> <p>The base value for Site 1 has been adopted of</p>

Respondent	Comment ID	Comments	HDC Officer Response
			<p>£400,000 per acre, which is very similar to that put forward in the calculation suggested. The traffic light coding is red acknowledging that in that case the site would not be viable.</p> <p>Remediation costs: Cost for remediation have not been included but the proposed CIL rates have been considered to allow 'headroom' within appraisals for matters such as unknown costs rather than using the maximum possible.</p> <p>Floorspace calculation: The details provided for measuring floorspace by the respondent are inappropriate as they relate to net internal area and not gross internal area as stated in the CIL Regulations 2010 (as amended).</p> <p>Viability assumptions: The S106 level input into the assessments is based on future likely requirements. In the example stated by the respondent of a 14 unit development, the requirement for play facilities would fall under CIL and not be part of any S106 agreement.</p> <p>Levy use definitions: Guidance on definitions for matters relating to CIL will be provided before charging commences.</p> <p>Payment in kind: It is accepted that CIL monies could be paid in part through a land payment but this is a legislative matter and not part of the setting of the levy rates.</p> <p>CIL Rate for Hotels: Hotels were tested as the most likely form of development to come forward in the HDC area.</p> <p>CIL Rate for Nursing Homes: Nursing homes were tested as the most likely form of development to come forward in the HDC area.</p> <p>CIL Rate for Retail Uses: The lower retail rate proposed for units of 500 sq m or smaller is as a result of the viability testing undertaken on a range of unit sizes, including additional testing since the consultation on the Preliminary Draft Charging Schedule.</p>

Respondent	Comment ID	Comments	HDC Officer Response
Janet Nuttall Natural England	CIL-D16	<p>Thank you for consulting Natural England on the above in your e-mail dated 23rd November 2011.</p> <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>We are generally satisfied with the content of the draft charging schedule and would like to take this opportunity to reiterate the important role that the CIL should play in funding green infrastructure in Huntingdonshire. The adopted Core Strategy identifies the importance of the quality of open space provision and the need for development proposals to contribute to this. The CIL offers an opportunity to secure funding for green infrastructure in advance of development and it is crucial that this funding is robustly ring-fenced. The monies raised can be shared between the costs of creating new greenspaces and securing their long-term management, and managing existing green infrastructure. Natural England's Analysis of Accessible Natural Greenspace Provision for Cambridgeshire and Peterborough, together with the Cambridgeshire Green Infrastructure Strategy should form part of the evidence base for identifying the location and design of new greenspaces.</p> <p>We note that viability testing has identified that for certain types of business development the proposed CIL rate should be nil, largely due to current economic conditions. Since this type of development can also have an impact on green infrastructure, water supply and other infrastructure required to support development we trust the Council will keep this situation under review.</p> <p>I hope these comments are helpful. Please do not hesitate to contact me should you wish to discuss these in more detail.</p> <p>For any correspondence or queries relating to this consultation only, please contact me using the details below. For all other correspondence, please contact the address above.</p>	<p>Satisfactory Approach: Confirmation that NE is generally satisfied with the content of the Draft Charging Schedule is noted.</p> <p>Ringfencing CIL Receipts for Green Infrastructure Projects: The types of projects that CIL receipts may be used for does not form part of the Draft Charging Schedule. Whilst green infrastructure is identified as an important element of community infrastructure, it is not possible at this stage to make reference to any possibility of ringfencing CIL receipts for the development and management of green infrastructure projects. These issues, including the roles, rights and responsibilities of the recipients of CIL funding, will be considered further as part of the emerging CIL governance and funding prioritisation processes.</p> <p>Impacts of Business Development on Green Infrastructure and Other Infrastructure: The CIL rate for specific business uses is set at zero to reflect viability evidence. The CIL Charging Schedule, once approved, will be reviewed in due course and CIL rates for specific uses may be increased or reduced as a result of that review.</p>
Adam Ireland Environment Agency	CIL-D21	<p>Thank you for consulting the Environment Agency on the CIL Draft Charging Schedule. Whilst we have no specific comment in relation to the calculation of the chargeable amount, we would like to work closely with your organisation when identifying the water services or water environment infrastructure that could be provided through capital raised by the CIL process. We will seek to ensure that, where possible, any achievements / improvements made to this infrastructure have multi-functional benefits. Where this is the case, we will also look to adopt a multi-organisational approach in order to utilise other possible sources of funding.</p>	<p>No Specific Comments: Confirmation of no specific comments from EA on the Draft Charging Schedule is noted.</p> <p>Project Development: Confirmation that EA would wish to be involved in future project development for multi-funded projects (including CIL) is noted.</p>
Sainsburys Supermarkets Ltd Sean McGrath Indigo Planning Ltd	CIL-D18	<p>We write on behalf of our client, Sainsbury's Supermarkets Ltd, in respect of the Draft Charging Schedule for Huntingdonshire. Sainsbury's currently operates a store in Huntingdon at St Germain Walk, and are seeking to relocate this store to George Street. The Council resolved to grant planning permission in relation to these proposals, subject to the signing of a Section 106 Agreement on 18 April 2011. Negotiations in respect of that Section 106 Agreement are ongoing, and it is anticipated that these discussions will be concluded and planning permission will be granted shortly.</p> <p>Sainsbury's also have other requirements in the District and, as such, they are keen to be involved in the Council's Local Development Framework process.</p> <p>The implementation of CIL in the District and its impact on retail proposals is therefore of great interest to Sainsbury's and they are keen to ensure that the CIL levy is implemented appropriately.</p>	<p>Principle of CIL Related to Economic Development: It would appear that the respondent's comments relate to the initial CIL rates for retail uses proposed in the Preliminary Draft Charging Schedule. The Draft Charging schedule contains revised CIL rates for retail uses. However, it is acknowledged that the respondent disagrees in principle with CIL.</p> <p>Impact of CIL on Viability of Supermarket Development: The viability assessments clearly demonstrate the CIL retail rates proposed in the</p>

Respondent	Comment ID	Comments	HDC Officer Response
		<p>Having reviewed the draft Charging Schedules, we are of the firm view that the proposed levy of £50 per m² for retail developments less than 1,000m² (G.I.A) and £140 per m² for retail development more than 1,00m² is both unreasonable and contrary to Government policy on promoting sustainable economic development. It will simply be too onerous to developers and operators to pay this levy in respect of foodstore development in addition to having to pay considerable Section 106 contributions. The levy means that these types of development will need to contribute at least £270,000, but more than likely, a minimum fee of £500,000 will be required for a standard new foodstore.</p> <p>In light of the Government's clear promotion of sustainable economic development, the imposition of this levy will conflict with key national policy aims. One of the key messages from 'Planning for Growth' is that LPA's should "ensure that they do not impose unnecessary burdens on development". The imposition of the proposed levy rate will be a clear burden on retail development and it will be harmful to investment and job creation. PPS4 identifies retail as economic development and development that generates employment. In the current economic climate, retail development is an important contributor to economic growth and obstacles such as the proposed levy should not be imposed. It will be in clear conflict with current national policy and should not be carried forward, as proposed.</p> <p>If a levy must be brought forward, we consider that a cap needs to be set for the total amount of money that can be contributed by developments through CIL. This cap should be based on a robust assessment of viability, taking into account that developers will still also be contributing significant funds towards Section 106 Agreements. It is unreasonable that the proposed CIL Levy could act to restrict development that is otherwise acceptable. This is unacceptable and unjustified. In the current economic climate, local authorities should be encouraging investment and job creation.</p> <p>We trust that the above comments will be taken into consideration by the Inspector during the Examination in Public into the Preliminary Draft Charging Schedule which we understand is expected to take place in February 2012.</p> <p>Sainsbury's are keen to invest further within the District, but do not wish to see potential development opportunities adversely impacted upon by the imposition of an unreasonable CIL Levy.</p> <p>Please contact my colleague David Graham or myself if you wish to discuss further and please keep us informed of the LDF process going forward.</p>	<p>Draft Charging Schedule are viable. Therefore, CIL should not restrict the ability of developers to bring new retail development forward, and so CIL cannot be considered as unreasonable. The lower rate proposed for the 500 sq m size or less is as a result of the viability testing undertaken on a range of unit sizes, including additional testing since the consultation on the Preliminary Draft Charging Schedule.</p> <p>Cap on CIL Contributions: It is not permissible to introduce a cap on CIL contributions from any particular development.</p>
Harjinder Kumar Peterborough City Council	CIL-D31	<p>Thank you for consulting us on the above document. We have no comments to make on the draft charging schedule.</p> <p>As a neighbouring authority, we may on a rare occasion have to work in partnership to deliver/fund cross-border schemes and this may potentially require pooling CIL contributions in order to deliver mutually beneficial outcomes. Should this occasion arise Peterborough City Council would be willing to work with Huntingdonshire District Council on cross-border schemes.</p>	<p>No Specific Comments: Confirmation of no comments from PCC on the Draft Charging Schedule is noted.</p> <p>Cross Boundary Working: The District Council would, in principle, be willing to work with PCC to discuss ways in which the use of CIL receipts may deliver mutually beneficial outcomes.</p>
Tesco Stores & Santon Group Devts Ltd Mark Buxton	CIL-D23	<p>On behalf of our clients, Tesco Stores Ltd and Santon Group Developments LTd, we hereby make the following observations and comments on the revised draft Community Infrastructure Charging Schedule (published for consultation between 23 November 2011 and 3 January 2012).</p> <p>Our comments supplement our previous representations made on 9th September 2011. Whilst we welcome the reduction in the charging schedule for retail development of 500m² or more to £100 we consider that all our previous comments remain applicable and relevant</p>	<p>CIL Retail Rates: The viability assessments clearly demonstrate the proposed CIL retail rates are viable. The lower rate proposed for the 500 sq m size or less is as a result of the viability testing undertaken on a range of unit sizes, including additional testing since the consultation on the Preliminary Draft Charging Schedule.</p>

Respondent	Comment ID	Comments	HDC Officer Response
		to the assessment of the Charging Schedule by an examiner.	
Janet Innes-Clarke Brampton Parish Council	CIL-D17	Brampton Parish Council has 'No comments'.....we can only go by what the experts recommend.	No specific comments: Confirmation of no specific comments noted.
Gail Stoehr	CIL-D29	The Cambridgeshire Local Access Forum (LAF) welcomes that access, recreation and cycling infrastructure has been identified and included.	No specific comments: Confirmation of support of access, recreation and cycling infrastructure noted.
Stacey Rawlings Bidwells (on behalf of Connolly Homes D.Wilson Oxford University)	CIL-D33	<p>The methodology and assumptions contained in the DJD viability report and addendum require further testing, specifically full justification for the CIL rate in respect of strategic scale residential led development is still required. Please refer to Bidwells statement dated 3 January 2012 and earlier representations dated 9 September 2011. Please refer to accompanying statement and Bidwells previous detailed representations.</p> <p>Please Note: The representation from Bidwells is in the format of a report.</p> <p>In summary, the Bidwells representation covers the following issues:</p> <ul style="list-style-type: none"> • Viability assumptions including residential coverage, private and affordable house sales values, Code for Sustainable Homes, Section 106, infrastructure cost and base values • Infrastructure Project List 	<p>Single Zone approach: Welcome support of the single zone approach for the district.</p> <p>Residential coverage: The GIA has increased due to a correction in the average unit size of affordable housing units to ensure the relevant guidance on unit size is met.</p> <p>Sales rates: Support of revised sales rate noted. The private sales rates were based on the market research as evidenced in the Market Report attached to the Viability Report.</p> <p>Affordable sales values: The affordable sales values have been derived through the use of ProVal software (a specialist affordable housing residual appraisal model) as set out in our response to the PDCS Consultation CIL-PD83.</p> <p>The Code for Sustainable Homes level 3 has been included. It would not be appropriate to consider all code levels at this stage. The charging schedule can be reviewed when appropriate should costs, or other such elements change significantly.</p> <p>CIL rates: The viability appraisals contain a number of inputs and variations could be expected in any one of these. In arriving at the CIL rate additional testing was carried out to ascertain the maximum amounts that might be supportable before rendering development unviable, before recommending a lower rate that we considered would not be to the detriment of deliverability of the majority of development in accordance with the regulations.</p> <p>Viability Infrastructure Costs: The figure of £200,000 per acre is one intended to reflect the scale of costs on such a site and is in addition to</p>

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			<p>normal build costs and site works. It provides £44.4m allowance for such costs and we believe this figure reasonable to adopt.</p> <p>Viability Base Value: The £100,000 has been used as a base figure in comparison to the calculated residual across the entire site so in effect relates to the gross site area.</p> <p>Viability S106 contributions: The Council will continue to consider S106 contributions in light of CIL contributions but the viability testing has taken into account the level of contributions advised as reasonable for this type of strategic site in the Huntingdonshire area. The CIL has been proposed at a level to maintain a margin of 'headroom' within the appraisals.</p>
Jennifer Dean Anglian Water Services Ltd	CIL-D32	<p>Thank you for consulting us on the Huntingdonshire Community Infrastructure Levy- Draft Charging Schedule 2011.</p> <p>We would welcome the opportunity to discuss the water and sewage requirements for the growth in Huntingdonshire. We recommend the Draft Charging Schedule cross references to the provisions in the Water Industry Act 1991 for funding water and Wastewater infrastructure and clearly outlines where appropriate the role, and benefit, of funding through CIL.</p> <p>We are keen to work with partners to improve the efficiency of existing infrastructure through retrofitting surface water management and water efficiency measures. This may offer local solutions to infrastructure constraints through potentially creating capacity within the existing network and enabling Huntingdonshire to adapt to Climate Change.</p>	<p>Purpose of the Draft Charging Schedule: The purpose of the Draft Charging Schedule is to state the proposed levy rates. All other related legislative matters are considered and the District Council welcomes the opportunity to continue to work with Anglian Water on infrastructure requirements.</p>
Paul Belton The Fairfield Partnership	CIL-D24	<p>It is considered that the Draft CIL Charging Schedule should acknowledge here, or within the corresponding footnote, the exceptions for applying CIL, as set out within Part 6 of the Adopted CIL Regulations 2010 (as amended), specifically the fact that affordable housing is exempt from CIL.</p>	<p>CIL Exemptions and Affordable Housing: The role of the Draft Charging Schedule is to set out the CIL rates for the District, not all legislative matters. Much of the legislative background and the methodology that the District Council has used in formulating the Draft Charging Schedule, is set out in the 'Huntingdonshire Community Infrastructure Levy: Background Paper 2011' which was issued as a supporting document as part of the consultation on the Draft Charging Schedule. This refers to exemptions and affordable housing. The District Council's approach to seeking developer contributions towards affordable housing is set out in its adopted 'Developer Contributions SPD' adopted in December 2011.</p>
Mr Watters	CIL-D1	<p>The proposal does not appear to apply to travellers sites/mobile homes? Is that correct? I did not raise this before as I was not aware that a draft proposal had been released.</p>	<p>Travellers Sites and Mobile Homes: The Community Infrastructure Levy will apply to most new development within the requirements set</p>

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			out in the legislation.
Claire Wright Maxey Grounds LLP	CIL-D9	It is our opinion that it is incorrect to make no specific reference to agricultural dwellings in the draft charging schedule. Agricultural dwellings by their very nature are essential dwellings on farms and should be exempt from Community Infrastructure Levy as imposed on other residential developments.	Agricultural Dwellings: The Community Infrastructure Regulations 2010 (as amended) clearly state the circumstances where exemptions from CIL can be permitted. Agricultural dwellings are not exempt and so are liable to pay CIL at the standard rate.
Cassie Fountain Peacock & Smith Ltd (on behalf of Wm Morrison Supermarkets Plc)	CIL-D6	<p>On behalf of our clients, Wm Morrison Supermarkets plc, we OBJECT to the proposed CIL rate charge for retail development identified in the Table following Paragraph 1.5.</p> <p>In particular, we OBJECT to the following matters:</p> <ul style="list-style-type: none"> The significantly lower CIL rate of £40 per sq.m for retail developments <500sq.m will unreasonably favour smaller scale retail developments over larger and appears to support a decision by the charging authority (Council) to support smaller units which goes beyond viability considerations alone and conflicts with national guidance. It is therefore considered that separate rates for new retail development of different sizes is not reasonable or properly justified, and has the effect of conferring selective advantage within the retail development sector. It is suggested that the rates are amended to provide one, reduced flat rate for new retail development providing over 100 sq.m gross internal floor area. The proposed CIL rate of £100 per sq.m for new retail developments of 1,000 sq.m or more is still relatively high, and for a large foodstore (of around 7,400 sq.m GIA) will result in a CIL charge of £0.740m which is still excessive. A levy of this level is likely to render future large-scale retail developments unviable, particularly when taking in to account other costs for local infrastructure works and other contributions required as part of typical s106 Agreements (such as highway works which can typically be very expensive to ensure large scale retail developments function well). <p>Suggested Change to the CIL rate for Retail Development</p> <p>It is suggested that the Council should adopt one CIL rate for all retail development providing more than 100 sq.m additional (new) gross internal floorspace, and that the charging level should be amended and full justification for the new figure should be given to ensure that all relevant factors have been taken in to consideration.</p> <p>We reserve the right to comment further at later stages of preparation of this document.</p>	Impact of CIL on Viability of Supermarket Development: The viability assessments clearly demonstrate the CIL retail rates proposed in the Draft Charging Schedule are viable. Therefore, CIL should not restrict the ability of developers to bring new retail development forward, and so CIL cannot be considered as unreasonable. The lower rate proposed for the 500 sq m size or less is as a result of the viability testing undertaken on a range of unit sizes, including additional testing since the consultation on the Preliminary Draft Charging Schedule. The viability testing supports the retention of two CIL retail rates for developments under and over 500sqm.
Francesca Lasman	CIL-D3	<p>It seems inappropriate to use affordability as the only criterion to decide rate of the levy. This is particularly relevant in relation to health development, which is in itself infrastructure, and where affordability is now changing in its definition as healthcare provision funding changes rapidly.</p> <p>How is it logical to charge more for healthcare premises than for any other?</p> <p>The effect of this levy on the provision of necessary healthcare infrastructure to support a new development, or expansion as the demands of care in the community increase, will be to ensure that the provision will be jeopardised. The funding of healthcare premises is a complex issue which is already precariously balanced, and, for instance, when additional space was needed for training in our surgery, it was difficult to find any sources of funding. Imposing an additional cost will prove a huge disincentive to develop healthcare premises.</p>	<p>Impacts of CIL on Health Related Development: The CIL Regulations 2010 (as amended) clearly state that levy rates need to be balanced with viability.</p> <p>Viability testing has been carried out to arrive at a recommended rate. Affordability to a particular end user is not part of the Regulations. Gross internal floor space up to 100 sq m is exempt.</p> <p>Additional viability testing has been carried out and the recommended rate amended accordingly.</p>
Nicholas Wells	CIL-D11	Some of the rates proposed are not reasonable...	Unreasonable CIL Rates: The viability

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Godmanchester Town Council		<p>* although they would have a significant effect on infrastructure, the rate for health developments should be lower to reflect the desirability of health provisions - suggest reduce from £140 per square metre to £85.</p> <p>* General industrial and distribution & storage would hopefully bring some employment benefits but the benefits might be outweighed by the impact of additional heavy traffic - suggest the rate should be increased from £0 to £85.</p>	assessments have been carried out by a highly experienced team and clearly evidence the proposed CIL rates. The District Council considers that the rates set are appropriate and comply with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended). The rates are based on evidence and not policy.
Claire Wright Maxey Grounds LLP	CIL-D10	<p>It is also our opinion that the conversion of redundant rural buildings will still be hugely affected by this proposed charging schedule which includes retail use. The last thing the rural economy needs is an additional taxation burden which could potentially stop certain types of economic development in rural Huntingdonshire and seriously delay the economic recovery in rural areas.</p> <p>Further to the proposed rates of CIL it is our opinion that the rates have been set far too high and will succeed only in stalling economic recovery, particularly in disadvantaged areas of Huntingdonshire whilst deterring developers from favouring Huntingdonshire for new developments when neighbouring authorities are not yet introducing CIL.</p>	Impacts of CIL on Economic Recovery: The viability assessments have been carried out by a highly experienced team and clearly evidence the proposed levy rates. The Council believe the rates set are appropriate and comply with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended).
Wendy Hurst Lidl UK GmbH	CIL-D8	<p>The proposed CIL groupings for retail, i.e. 500 sq m or less (A1/ A2/ A3/ A4/ A5) and > 500 sq m (A1/ A2/ A3/ A4/ A5) are too general and do not take into account the significant differences between medium development of 1,001 sq.m against that of a major scheme of 6,000 sq.m or more in terms of infrastructure effects and the necessary contributions to justify a development of this scale. Medium-sized retailers are therefore discriminated against and are being asked to contribute a much higher figure towards specific LA/CC schemes than has been the case previously; which has been much more open to negotiation and therefore perceived as fairer. The current draft fails to take into account the diverse nature of food retail in particular and the various classes within this, such as LAD's.</p> <p>SUGGESTED CHANGES - Lidl suggest that the thresholds should be amended to: 500 sq m or less (A1/ A2/ A3/ A4/ A5) - CIL Rate £40 500 sq.m to 1,499 sq.m (A1/A2/A3/A4/A5) - CIL Rate £70 > 1500 sq m (A1/ A2/ A3/ A4/ A5) - CIL Rate £100 With a contribution per square metre which better reflects the overall impact of the development on service provision and infrastructure.</p>	Impact of CIL on Viability of Supermarket Development: The viability assessments clearly demonstrate the CIL retail rates proposed in the Draft Charging Schedule are viable. Therefore, CIL should not restrict the ability of developers to bring new retail development forward, and so CIL cannot be considered as unreasonable. The lower rate proposed for the 500 sq m size or less is as a result of the viability testing undertaken on a range of unit sizes, including additional testing since the consultation on the Preliminary Draft Charging Schedule. The viability testing supports the retention of two CIL retail rates for developments under and over 500sqm.
Ian Burns NHS Cambridgeshire	CIL-D19	<p>Following our comments at the Preliminary Draft Charging Schedule Consultation Stage, the Council responded that this proposed level of charging for Health development is based on their Viability Report. We have therefore employed a Consultant Surveyor, Stephen Boshier of Boshier & Co, to review the Viability report and assessment of Health development viability on our behalf. Mr Boshier is a Consultant Surveyor & RICS Registered Valuer (MRICS) who specialises in working for the NHS and advises us on a number of property related matters.</p> <p>He concludes that the assumptions in the viability appraisal are inappropriate and that if the correct assumptions had been used the health development would be showing a loss. The outcome of £140 per m² as the levy is based on assumptions and information which does not stand up to scrutiny.</p> <p>Curiously, there is a mix of per ft² and an outcome of per m². The health sector, including property advisers within the sector, all use m² in their calculations and analysis. The appraisal assumes a 6,400ft² (594m²) building (net) 8,000 ft² (743m²) (gross) on a half-acre (0.2ha) plot.</p>	<p>CIL Health rate assessment: Noted the queries are on assumptions on the viability, not the methodology. The mix of ft² and m² was merely to be consistent in the viability testing, but makes no difference to the result as all figures are converted appropriately.</p> <p>Noted confirmation that the rent is within reason.</p> <p>The appraisal does assume a long lease to the doctors practice underpinned by PCT funding as has been market practice in recent years, hence the yield derived from market evidence and considered appropriate for this type of development. Changes in health sector funding</p>

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		<p>Mr Boshier comments as follows:</p> <ul style="list-style-type: none"> The rate of £17.50 per ft² is £188.37 per m². This is on a FRI lease basis. The CMR (rent reimbursement) would be +5% or £197.79 per m². This is at the upper end of rent expectations for health accommodation outside of Cambridge, but within reason for a BREEAM Healthcare "Excellent" building. The yield of 6% is very full and would reflect a lease term in excess of 25 years without a break. This is an unrealistic assumption for businesses other than the NHS. The build cost is significantly understated and, therefore, the profitability is significantly overstated. Build cost is put at £120 per ft² (£1,290 per m²). Build costs for BREEAM Healthcare "Excellent" would be in the order of £2,000 per m² plus VAT. Professional fees would be in the range of 11% - 15% of the build costs. <p>A revised financial appraisal would show a significant loss for this development Whilst we appreciate that the Council intends to make Health a recipient of Cil, to make delivery of Health infrastructure affordable we need to be a net recipient of CIL. A circular funding arrangement that neutralises any benefit could put some important health developments at risk. We suggest a way to include the NHS as a community use and thereby benefit from a nil rate is to include all buildings where community health services are provided either direct by the NHS or via an NHS contract. In terms of revised wording, simply delete the line from the table detailing Health and add Health D1(for NHS use) in the final line of the table.</p>	<p>and how this will impact development is as yet untested. It has already been recommended that CIL is reviewed moving forward which should include a revision to the methodology for this type of property if appropriate at the time in accordance with established practice.</p> <p>The cost of building to BREEAM Excellent standard has been considered and an addition explicitly shown in the appraisals above the base build cost.</p> <p>Additional viability testing has been carried out and the recommended rate amended accordingly.</p> <p>The CIL Regulations do not require health development to be exempt.</p>
Paul Belton The Fairfield Partnership	CIL-D25	<p>It is considered that the Charging Schedule needs to provide increased flexibility to enable deviation from the standard charges to be agreed where justified on a site specific basis, specifically by way of a viability appraisal. To ensure this is possible it is considered that the following text should be added to the end of Paragraph 1.5. "<i>and/or agreed in writing with the Local Planning Authority</i>"</p> <p>In addition to the above it is also requested that it be clarified what is meant by the text "unless specifically stated otherwise". This is not clear at present.</p> <p>The above modifications are suggested because the proposed charges set out within this Draft Charging Schedule have been informed by a Viability Report, prepared by Drivers Jonas Deloitte and published in July 2011 and a "CIL Addendum Report", again prepared by Drivers Jonas Deloitte, published November 2011. Within this time period the Viability Appraisal's have suggested that the standard CIL charging rate be reduced from £100 to £85. Given these changes have been deemed necessary over this relatively short period, with further amendments made in the preceding 18 months since the Local Investment Framework was published by the Council in 2009 (which was also based on viability assessments) it is considered essential that the Adopted Charging Schedule maintains sufficient flexibility to ensure that CIL development across the District remains viable.</p>	<p>Flexibility with CIL: The CIL is a mandatory levy which will be payable by all new development identified in the Charging Schedule. It has been subject to rigorous viability testing and it will not be possible to 'deviate' from the CIL rates set on a site by site basis – therefore CIL will not be negotiable on any particular development site. The table at para 1.5 clearly states that the standard rate applies to all development types unless stated otherwise in the table.</p>
Paul Belton The Fairfield Partnership	CIL-D26	<p>Based on the information provided at presented it is not accepted that a standard charge of £85 is appropriate for Huntingdonshire. Having reviewed the supporting appraisals which have supported the latest Drivers Jonas Deloitte Report, we are not convinced that the assumptions used in the appraisal are robust. For example, the appraisals assume that the general build cost for residential development is £64/sqft. This would appear to be a very low build cost and well below the mean BCIS figure, adjusted for Cambridgeshire, of £79/ft². Unless the assumed build costs can be explained and justified we cannot accept that the viability appraisal upon which the CIL Charging Schedule is based are robust,</p>	<p>Viability Evidence: The build costs have been based on local Cambridgeshire BCIS data correlating to the period when market evidence was gathered. A further cost has been added to ensure CSH level achievement. The appraisals have been carried out by professionals in the field and are considered to be sound and robust.</p>

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		credible and therefore sound.	
Care UK Community Partnership Adrian Kearley AKA Planning	CIL-D30	Due to care homes being generally unable to withstand CIL in the majority of the District it is proposed that they should be exempt and that they should be set at £0 per sq.m in the charging schedule.	CIL Rate for Nursing Home: The viability report details assessments undertaken to show the proposed levy rates.
Gordon Hasell	CIL-D2	Please correct a minor typing error In para. 1.6. - Royal " <i>Institute</i> " of Chartered Surveyors should be Royal " <i>Institution</i> " of Chartered Surveyors which is its correct title.	Typo: Noted. Text will be corrected.
Paul Belton The Fairfield Partnership	CIL-D27	It is considered that paragraph 1.6 should be reworded to read "The rate shall be updated annually for inflation <i>and deflation</i>" This change is considered necessary to ensure the CIL rate remains aligned with BCIS, as is clearly intended within the Draft Charging Schedule.	Inflation and Deflation: It is not intended to reword the document as the respondent suggests. Inflation can be negative or positive.
Paul Belton The Fairfield Partnership	CIL-D28	<p>It is stated here that site specific contributions may also be required through a S106 agreement. The Council's CIL Background Paper 2011 confirms that it is important that the CIL Charging Schedule differentiates between a development's specific infrastructure which will be more suitably dealt with through a S106 (such as schools) to those infrastructure works included in the standard CIL charge. It is not considered that the current Draft Charging Schedule provides the clarity that is required.</p> <p>In this regard it is considered that paragraph 1.7 should be extended to confirm the above. It is considered that the text from the Background Paper should be repeated here, as is set out below:</p> <p><i>" A development's specific infrastructure requirements may be best dealt with through a Section 106 Agreement. This CIL Charging Schedule differentiates at paragraph ?? of this Charging Schedule between these infrastructure projects and those covered by CIL to ensure no double counting takes place between calculating the district wide CIL rate for funding of infrastructure projects and determining Section 106 Agreements for funding of other development specific infrastructure projects, within the scope of the three statutory S106 tests and in compliance with the Community Infrastructure Regulations 2010 (as amended)"</i></p> <p>This additional text should also confirm that appropriate reductions in the standard CIL charge shall be applied where site specific infrastructure that would normally have been covered by CIL is to be provided as part of any specific development proposal.</p> <p>In addition, it is considered that the Draft Charging Schedule needs to be clearly cross referenced with the Infrastructure Project List. It is this list that will ensure that double counting between CIL and S106 does not occur.</p> <p>It is noted that the CIL Background Paper states that the Infrastructure Project List will be published when the CIL Charging Schedule has been adopted. As it is this Infrastructure Project List that is informing the scale of contributions to be sought and the projects that are to be funded by CIL, this Project List should be appended to the Charging Schedule and cross referenced within its text at all times.</p>	Supporting Evidence: The Infrastructure Project List was issued as supporting evidence with the Draft Charging Schedule. It clearly identifies a range of infrastructure that could be funded via CIL. The Background Paper (issued at the same time) provides, as it implies, background information to the development of the Draft Charging Schedule as does the referenced Developer Contributions Supplementary Planning Document (adopted in December 2011).
J Bowd Holywell-cum-Needlingworth Parish Council	CIL-D7	The scale of levy appears to penalise the 'health' sector but no apparent reason given.	<p>CIL Rate for Health Related Development: The proposed health charge in the Draft Charging Schedule was based on viability evidence</p> <p>The health sector is not penalised. The CIL Regulations make no exemption for specific</p>

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			uses other than the reliefs allowed and the type of end user is not the determining factor in deciding to set a CIL rate for a type of development. .
Francesca Lasman	CIL-D4	<p>Healthcare is essential infrastructure which should be supported by the CIL and not subject to charge at all.</p> <p>The region will not be economically viable or desirable as a place to live without adequate healthcare provision, which, with the new changes bringing care into the community, will require considerable additional investment in buildings. Who will provide this investment where there will no longer be guaranteed funding (bear in mind that your calculations on surgery funding are based on historical data which will change in the new climate). I would urge the district council to re think this part of the plan completely.</p>	<p>CIL Rate for Health Related Development: The CIL Regulations 2010 (as amended) clearly state that development will be liable to pay CIL, with the exception of a number of legal exemptions. The fact that the building is for a private development or an identified infrastructure item is not relevant to the legalities of whether it is chargeable</p> <p>The future viability of surgeries or primary care facilities will change as will others as the health economy changes and the CIL is proposed to be reviewed going forward. Changes in the way that certain types of premises are delivered and occupied should appropriately be factored in when the 'market' is established.</p>
Ian Burns NHS Cambridgeshire	CIL-D20	<p>Following our comments at the Preliminary Draft Charging Schedule Consultation Stage, the Council responded that this proposed level of charging for Health development is based on their Viability Report. We have therefore employed a Consultant Surveyor, Stephen Boshier of Boshier & Co, to review the Viability report and assessment of Health development viability on our behalf. Mr Boshier is a Consultant Surveyor & RICS Registered Valuer (MRICS) who specialises in working for the NHS and advises us on a number of property related matters.</p> <p>He concludes that the assumptions in the viability appraisal are inappropriate and that if the correct assumptions had been used the health development would be showing a loss. The outcome of £140 per m² as the levy is based on assumptions and information which does not stand up to scrutiny.</p> <p>Curiously, there is a mix of per ft² and an outcome of per m². The health sector, including property advisers within the sector, all use m² in their calculations and analysis. The appraisal assumes a 6,400ft² (594m²) building (net) 8,000 ft² (743m²) (gross) on a half-acre (0.2ha) plot.</p> <p>Mr Boshier comments as follows:</p> <ul style="list-style-type: none"> • The rate of £17.50 per ft² is £188.37 per m². This is on a FRI lease basis. The CMR (rent reimbursement) would be +5% or £197.79 per m². This is at the upper end of rent expectations for health accommodation outside of Cambridge, but within reason for a BREEAM Healthcare "Excellent" building. • The yield of 6% is very full and would reflect a lease term in excess of 25 years without a break. This is an unrealistic assumption for businesses other than the NHS. • The build cost is significantly understated and, therefore, the profitability is 	<p>CIL Health rate assessment: Noted the queries are on assumptions on the viability, not the methodology. The mix of ft² and m² was merely to be consistent in the viability testing, but makes no difference to the result as all figures are converted appropriately.</p> <p>Noted confirmation that the rent is within reason.</p> <p>The appraisal does assume a long lease to the doctors practice underpinned by PCT funding as has been market practice in recent years, hence the yield derived from market evidence and considered appropriate for this type of development. Changes in health sector funding and how this will impact development is as yet untested. It has already been recommended that CIL is reviewed moving forward which should include a revision to the methodology for this type of property if appropriate at the time in accordance with established practice.</p> <p>The cost of building to BREEAM Excellent standard has been considered and an addition explicitly shown in the appraisals above the base</p>

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		<p>significantly overstated. Build cost is put at £120 per ft² (£1,290 per m²). Build costs for BREEAM Healthcare "Excellent" would be in the order of £2,000 per m² plus VAT.</p> <ul style="list-style-type: none"> Professional fees would be in the range of 11% - 15% of the build costs. <p>A revised financial appraisal would show a significant loss for this development Whilst we appreciate that the Council intends to make Health a recipient of Cil, to make delivery of Health infrastructure affordable we need to be a net recipient of CIL. A circular funding arrangement that neutralises any benefit could put some important health developments at risk.</p> <p>We suggest a way to include the NHS as a community use and thereby benefit from a nil rate is to include all buildings where community health services are provided either direct by the NHS or via an NHS contract. In terms of revised wording, simply delete the line from the table detailing Health and add Health D1(for NHS use) in the final line of the table.</p>	<p>build cost.</p> <p>Additional viability testing has been carried out and the recommended rate amended accordingly.</p> <p>The CIL Regulations do not require health development to be exempt.</p>
Representations received after the formal consultation period had closed			
Respondent	Comment ID	Comments	HDC Officer Response
Stuart Garnett, Savills Planning (on behalf of Gallagher Estates Ltd)	n/a	<p>Please Note: The representation from Savills Planning on behalf of Gallagher Estates Ltd is in the format of a full letter.</p> <p>In summary, the representation covers the following issues:</p> <ul style="list-style-type: none"> Viability assumptions including Section 106, developer profit, Code for Sustainable Homes, base values and payment timings 	<p>S106: The S106 level input was based on assessment of other similar schemes and infrastructure project details..</p> <p>Profit: An appropriate profit level was used for the types of schemes tested and the Huntingdonshire area. This was applied to both private and affordable housing.</p> <p>Code for Sustainable Homes costs: An allowance for CSH3 was incorporated in the build costs across the sites which we consider reasonable in accordance with current requirements.</p> <p>Base value: The £100,000 per acre reflects the hypothetical 444 acre site that does not have planning permission but is allocated for residential. Given the uncertainty in such a situation and the size of the site being purchased we consider this figure reasonable.</p> <p>Timing of payments: The Council would agree that a deferred payment policy as allowed in the Regulations is a pragmatic approach, but for the purpose of testing have assumed payment of levy at commencement of construction.</p>
Deryck Irons Abbotsley	n/a	A key objective of the draft national planning policy framework is 'to significantly increase the delivery of new homes'. Abbotsley Parish Council fails to see how imposing charges on	Commercial Housing: The Community Infrastructure Levy applies to all development.

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Parish Council		<p>housing development will achieve this objective.</p> <p>The new Community Infrastructure Levy may be appropriate for large housing developments, used in conjunction with S106 agreements, but it does not appear to be appropriate in small rural environments. Although large scale developments in Abbotsley are unlikely, our Village Plan identified a need for smaller dwellings for the village - particularly for young people living in the village. The introduction of a large levy on all developments, of say £7 - 10,000 for a 2/3 bedroom house, is very significant. Infill plots and very small developments are therefore more likely to comprise of larger and more expensive houses where the charge is more easily absorbed. Such small developments were unlikely to attract significant S106 contributions previously. Abbotsley Parish Council considers the proposed charges to be very high with a possible negative effect on low cost rural housing.</p>	<p>The proposed standard rate will be applied to all new commercial housing in urban and rural areas across the district. The viability assessments have been carried out by a highly experienced team and clearly evidence the proposed CIL rates.</p>
Phil Copsey, David Lock Associates (on behalf of Urban and Civic)	n/a	<p>Please Note: The representation from David Lock Associates on behalf of Urban and Civic is in the format of a full letter.</p> <p>In summary, the representation covers the following issues:</p> <ul style="list-style-type: none"> • Approach to large scale major developments • Infrastructure List CIL / S106 split • Charging Schedule timing • CIL Reporting 	<p>Large scale major developments: The support of clarity on infrastructure provision for large scale major sites through CIL and S106 is noted.</p> <p>Infrastructure Project list CIL / S106 split: The Infrastructure List supporting the Draft Charging Schedule is based on the needs arising from new development. It is very detailed clearly showing whether items are CIL or S106 to ensure no double counting takes place.</p> <p>The Infrastructure List also identifies alternative funding sources and deducts these from the funding gap. This has included the deduction of S106 development specific funded infrastructure to ensure that the aggregate funding gap is valid and in compliance with the CIL Regulations (as amended).</p> <p>Charging Schedule Timing: It has been public knowledge for a considerable time that Huntingdonshire District Council is working towards the adoption of a Community Infrastructure Levy Charging Schedule with a view to adoption in April 2012. This has been made known via the website, meetings and through the Developer and Agents Forum events. Planning applications and S106 Agreements will continue to be worked on in the usual manner.</p> <p>CIL Reporting: The Council will report on CIL annually as required by the CIL Regulations 2010 (as amended).</p>

