

# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

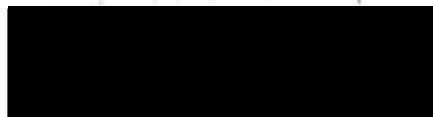
### COMPLETE RESPONSE

Response ID #422708. Submitted on 30 Sep 2015 18:04 by Alan Collett

Response visibility: ANYONE WHO CAN VIEW RESPONSES.

#### PUBLIC PROFILE

Name



Email

Date

30 Sep 2015 18:04

Title

First Name



Company / Organisation (if applicable)

Position / Role (if applicable)

PRIVATE PROFILE

Address 

Postcode

Phone Number

Notify me about Local Plan consultations Yes

Notify me about Neighbourhood Plan consultations Yes

HIDDEN PROFILE

Specific Consultees No

Internal Categorisation ==uncategorized==

Q1

Do you have any comments on the Draft CIL Charging Schedule?

With reference to Paragraph 22, homes for sale at discounted value, I do not agree that they should be exempt from CIL. In my opinion it is more likely that the landowner selling the land for development will benefit by way of a higher land value than that the new home owner will be fit by way of a lower purchase price.







# Consultation RESPONSE

## South Downs National Park Authority Community Infrastructure Levy Preliminary Draft Charging Schedule Response October 2015

The Country Land and Business Association (CLA) is a national organisation embracing the owners and occupiers of all types of rural land and business in England and Wales. It represents the interests of the owners of some 33,000 land holdings and rural businesses.

The South Downs National Park is covered by the South East Region of the CLA. Almost 500 CLA members in or near to the National Park include rural businesses and owners of land of every size and type of holding, from estate owners to the smallest land holding of less than a hectare. The membership encompasses all traditional agricultural and forestry enterprises from the most sophisticated dairy and arable enterprises, pigs and poultry and more extensive livestock systems. The majority of our landowning membership is made up of family farm owner-occupiers many of whom have diversified into other business activities in response to the downturn in farm incomes.

The CLA also represents the interests of owners of other types of rural businesses including: forestry enterprises, mineral and aggregate operators and owners, hotels, golf courses, tourist enterprises, equestrian establishments, a myriad of small rural enterprises and also institutional land owners such as water companies, pension funds, and development companies. Our members have businesses in the National Park and most live in its rural communities and villages.

### 1. Timing

The CLA welcomes the opportunity to comment on the Preliminary Draft Charging Schedule for the National Park's Community Infrastructure Levy (CIL). We are concerned that the CIL draft charging schedule has been brought forward to consultation in advance of publication of the Local Plan which is currently out for consultation. Government guidance states: ***"The Government expects that charging authorities will implement the levy where their 'appropriate evidence' includes an up-to-date relevant Plan for the area in which they propose to charge"***. The guidance goes on to say ***"...levy charges should be worked up and tested alongside the Local Plan"***.

The CLA calls for the process of implementing a CIL charging system to be slowed to mirror the time scale in the local plan. Such a delay will allow levy charges to be "worked up and tested alongside the Local Plan" as required by the National Planning Policy Framework (NPPF<sup>1</sup>).

### 2. Appropriate evidence

The CLA questions how a rate can be set without setting out the full calculation. This issue was raised in our response to the consultation in April 2014 and does not seem to have been addressed. The SDNPA has clearly carried out significant and expensive work on viability to calculate the differential rates but provides no other evidence to demonstrate either the housing numbers expected to pay the levy or the "infrastructure" projects on these sums will be spent.

There is no evidence provided in this consultation or the Local Plan Preferred Options on the following key elements of CIL:-

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<sup>1</sup> NPPF para 175

- The housing need in Strategic Housing Market Assessment (SHMA).
- The availability of land through Strategic Housing Land Availability Assessment (SHLAA).
- Infrastructure Development Plan.
- The CLA cannot examine the Regulation 123 list, to indicate how the Levy will be spent as it has not been published to accompany this consultation..
- The “funding gap” for the infrastructure need in the SDNPA.

The CLA fears that this lack of published information cannot justify the proposals for CIL charging.

### **3. Draft Charging Schedule Rates**

CLA is concerned by the impact of higher rates of CIL to be levied on development in rural areas. The Local Plan Preferred Options identified a need for local housing to maintain communities and there should be a reflection of this need in the charging schedule.

Whilst social (affordable) housing is excluded from CIL charging by the CIL Regulations 2010, non-social housing as part of an exception site development would be charged upon. Such developments rely on the ability to make a profit on the non-social housing element of these developments to support the financial viability of the social housing element. To apply charges in this instances would stifle the viability of exception sites and we propose that such developments should be exempted as a whole.

CLA considers that development involving the re-use of existing buildings (regardless of changes in floor area) and development of former brownfield sites should be exempted to encourage development in these areas in-line with the preferred options of the Local Plan. Such developments can often be marginal in feasibility terms in contrast with greenfield development and the levying of significant charges as proposed would exacerbate this position.

The index-linked increases to CIL should not be cost-based, but market based to avoid sporadic increases in CIL costs at a time when building costs might be high due to, for example increased labour costs as is likely to be experienced as “living wages” are introduced. The cost of building is not a relevant factor. We would propose that a more stable index such as the retail prices index is used.

### **4. Implementation Choices**

CLA is concerned about the proposal to charge CIL at the point that development commences. This is not consistent with any other taxes and levies most of which are chargeable at the point at which a building becomes habitable. The quite significant charges under any development will cause major cashflow problems – particularly for small or one-off developers.

CLA welcomes the proposal to allow land and infrastructure in-kind on a similar basis to which SANG land is managed. We would propose greater flexibility to provide land or infrastructure by agreement without transferring freehold title. This reduces liability to SDNPA whilst achieving the desired outcomes and enables contributors to manage land in accordance with those outcomes.

CLA supports the relief for properties to be sold at below market value where this is appropriate. We would like to see this extended to include specifically agricultural workers dwellings and other key-worker housing which would typically fall within this category by virtue of planning condition, but might not specifically be marketed below market costs. Additionally we would like the exemption extended to properties which are not to be sold, thus increasing the provision of let property which is in decline.

### **5. Viability Assessment**

An expensive viability report at this stage is in our view out of order in the process. The residual valuations are out of date as soon as it is published. We question how a single rate (outside Petersfield, Lewes, Petworth, Midhurst and Liss) can be applied across the length of the National Park. The markets are very different across

the park. We question how viability assessments made in 2013 can apply effectively indefinitely after adoption of a CIL charge.

The CLA is concerned that the viability assessment does not examine the effect of the levy on dwellings built as essential for a rural worker accommodation<sup>2</sup> For instance a home for an essential farm worker will almost certainly be unviable if the farmer is required to pay £200 per sq metre CIL. We call for a specific exemption from CIL for all dwellings granted planning consent under the exception provided for in paragraph 55 of the NPPF.

The CLA supports the zero CIL rating on agricultural or forestry, employment and commercial development, as these are important areas for rural landowners and farmers to diversify into in order to support their farming and forestry enterprise. In addition, farmers and landowners are often forced to upgrade their agricultural buildings and infrastructure due to legislation with no commercial gain to the enterprise. If a CIL is imposed on these types of enterprise it would have a major impact on the farming and rural business community, who would be unable to afford the increased cost of the development due to the CIL.

## **6. Infrastructure Delivery**

The SDNPA has provided no detail on implementation of most of the "infrastructure" for which the regulations are designed to provide. Section 216 of the Planning Act 2008 defines infrastructure as:-

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities,
- (f) open spaces, and
- (g) affordable housing.

There is no evidence of any cooperation with the County, Districts and Unitary authorities on their views, as implementing authorities, on the needs of infrastructure. What is more there is no accountability across the geographic extent of the park. Other than the percentage to the Parish Councils CIL monies collected in say East Hampshire could well be spent in East Sussex. This raises a serious question of the democratic legitimacy of the Levy.

Without evidence of the delivery strategy the ability to collect CIL levies appears to lack foundation and therefore the application of the charge does not seem legitimate.

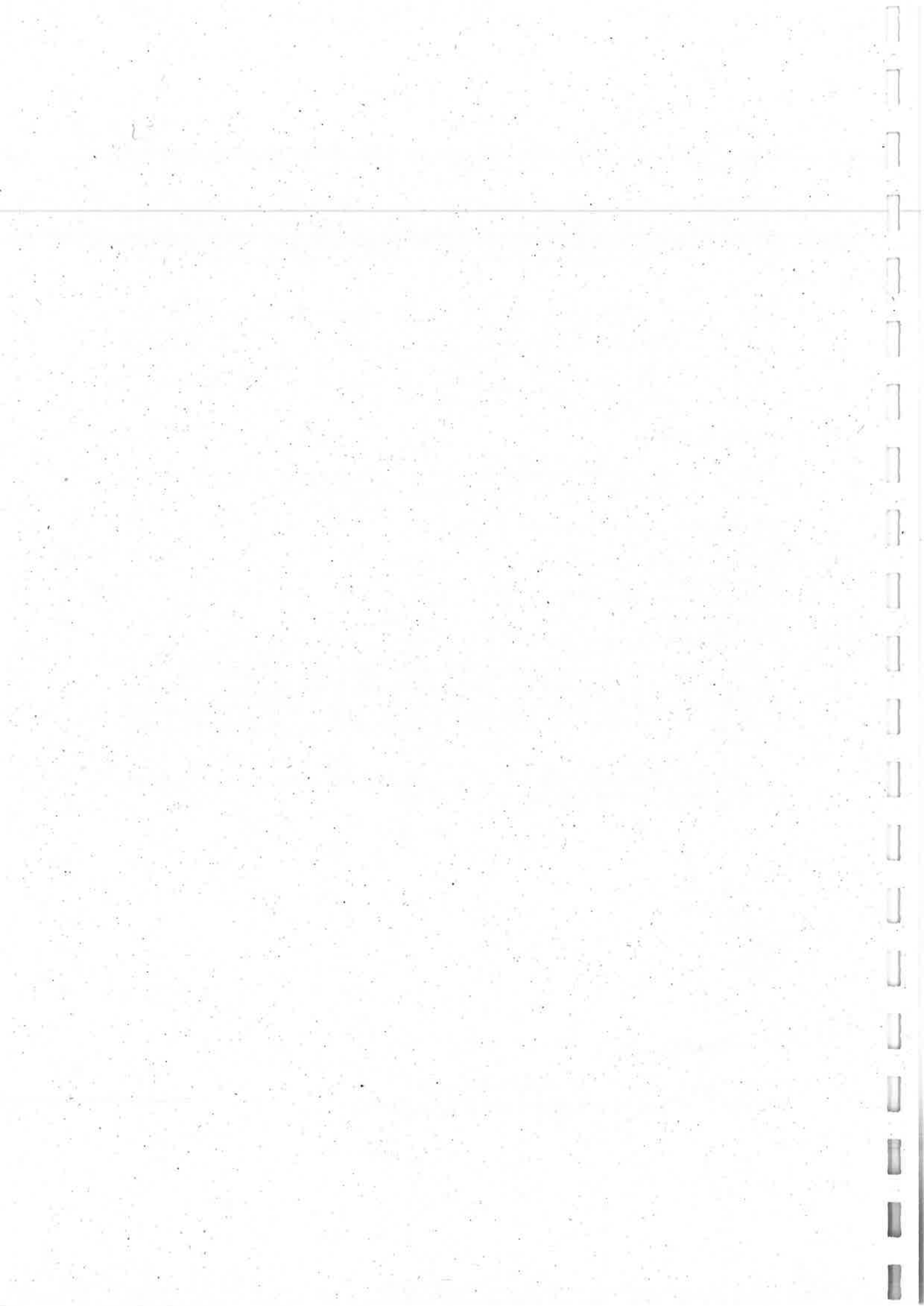
**CLA**  
Hicknield House  
East Anton Court  
Icknield Way  
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01264 313434

**27<sup>th</sup> October, 2015**

David Hill, Regional Surveyor; [tim.broomhead@cla.org.uk](mailto:tim.broomhead@cla.org.uk)  
Megan Cameron, Regional Rural Adviser; [megan.cameron@cla.org.uk](mailto:megan.cameron@cla.org.uk)

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# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

### COMPLETE RESPONSE

Response ID #430687. Submitted on 22 Oct 2015 10:29 by Eastbourne  
Borough Council (Mr Matthew Hitchen)

Response visibility: **ANYONE WHO CAN VIEW RESPONSES.**

#### PUBLIC PROFILE

Name	Eastbourne Borough Council (Mr Matthew Hitchen)
Email	matt.hitchen@eastbourne.gov.uk
Date	22 Oct 2015 10:29
Title	Mr
First Name	Matthew

Company / Organisation (if applicable)	Eastbourne Borough Council
Position / Role (if applicable)	Specialist Advisor (Planning)

## PRIVATE PROFILE

Address	1 Grove Road
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Notify me about Local Plan consultations	Yes
Notify me about Neighbourhood Plan consultations	Yes

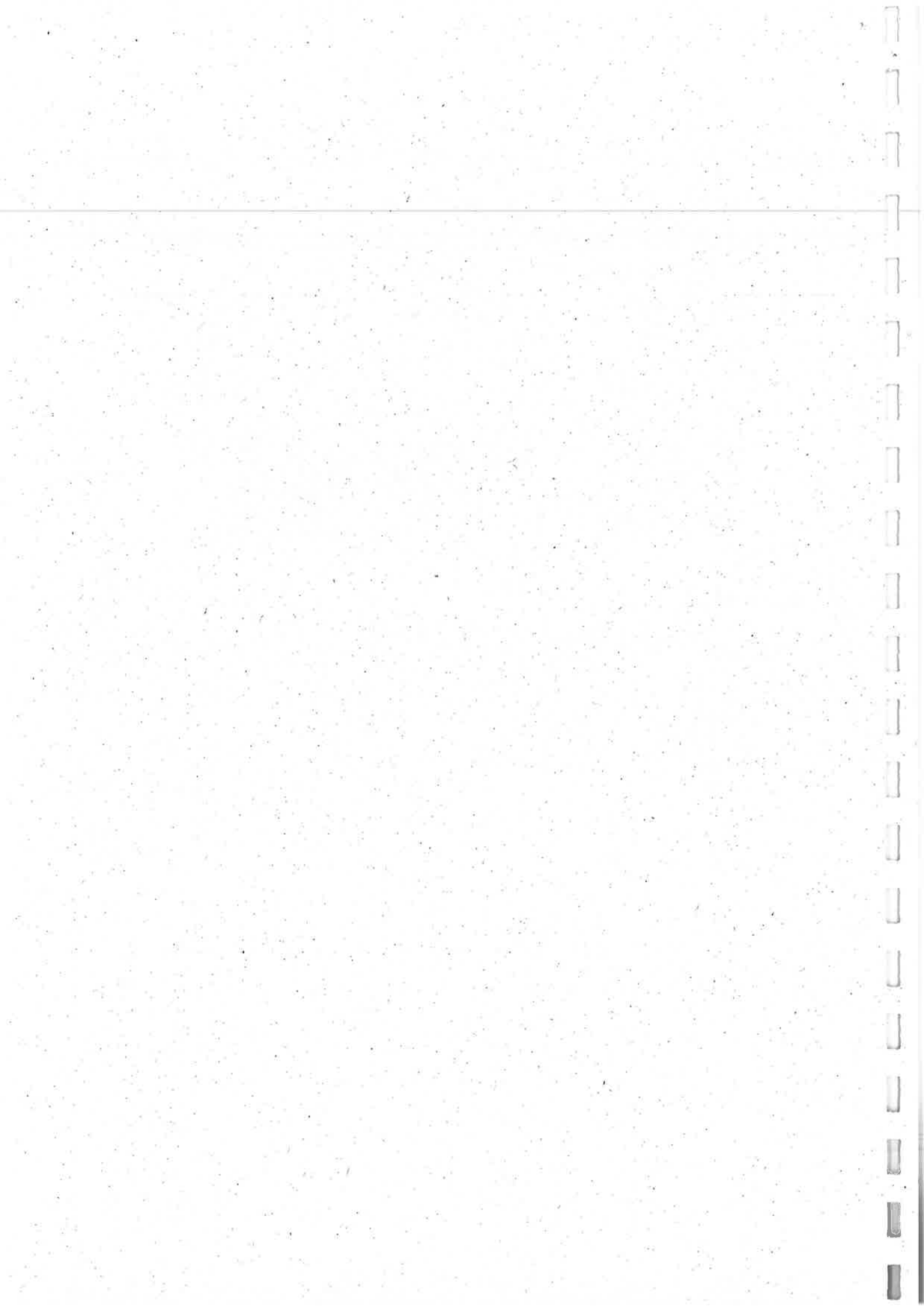
## HIDDEN PROFILE

Specific Consultees	No
Internal Categorisation	Local Authority (constituent)

Q1

Do you have any comments on the Draft CIL Charging Schedule?

Eastbourne Borough Council do not wish to make comments regarding evidence on development viability and it supports the conclusion that only residential and retail development are viable for CIL charges. This aligns with Eastbourne's CIL Charging Schedule. The Council previously commented at the last consultation stage on the mapping prepared, which provides the boundaries for the three different zones of CIL charges. These comments remain as there is still insufficient detail in the mapping to indicate the exact boundary of the urban areas. This does not provide the reader with a clear indication of where the actual boundaries of the zones lie in relation to the settlements identified on the base map. It is not evident whether the SDNP authority have prepared an assessment of Revenue analysis, nor a detailed Regulation 123 list. These two documents would provide further necessary information to inform the consultation. Eastbourne Borough Council in principle supports the CIL charges prepared, subject to additional information and detail being published as outlined above.





**Gareth Giles**

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**From:** Findon Parish Council <findonparishcouncil@gmail.com>  
**Sent:** 27 October 2015 14:05  
**To:** CIL  
**Subject:** response to CIL consultation

**Importance:** High

Hi

Please see comments below:

CIL Comment 1 - Draft Charging Schedule Clause 15: '*Royal Institute of Chartered Surveyors*' should read '*Royal Institution of Chartered Surveyors*'

CIL Comment 2 - Draft Charging Schedule Clause 22: Clarity needed on exactly how the '*market value*' is determined (SDNPA valuer?, consortium of local estate agents?, reference to certain statistics?).

Regards,

Fiona

Fiona MacLeod,

Clerk to Findon Parish Council



Normal office hours 2.30 to 5pm Monday to Friday  
<http://findon.arun.gov.uk>



## **SDNPA Draft CIL Charging Schedule Consultation**

### **1.0 Introduction**

1.1 PlanningSphere are instructed to make representations to the consultation on the Preferred Options South Downs Local Plan on behalf of Green Village Investments (GVI) who are the owners of Bohunt Park, Liphook. The representations support the promotion of land at Bohunt Park as a strategic allocation in the emerging South Downs National Park Local Plan due to its very significant sustainability and community benefits and based on support from East Hampshire District Council (EHDC), significant support from the local community, together with identified unmet housing need in the Joint Core Strategy (JCS), and the Park's Objectively Assessed Need (OAN) over the emerging plan period to 2032.

1.2 The following comments are submitted to the SDNPA's consultation on its Preferred Options Local Plan in accordance with the consultation timetable. The representations should be read in conjunction with our other representations on the Preferred Options consultation, and following supporting appendices:

- **Appendix A:** Strengthening Bonds between Liphook and the National Park: *Parts 1 and 2* (GVI)
- **Appendix B:** The Strategic Case for Allocating Bohunt Park (GVI)
- **Appendix C:** Enabling Sustainable Access to the SDNP via Bohunt Park (GVI)
- **Appendix D:** SHLAA Sites Accessibility Comparison (WYG)

### **2.0 Relevant background information**

2.1 Since the acquisition of the site from the World Wildlife Fund in 2005, the frontage land at Bohunt Manor, Liphook, Hampshire (known as Bohunt Park) has been actively promoted through the development plan making process including representations that were submitted in response to the Initial Options Consultation in April 2014.

2.2 Detailed proposals for the site have evolved on an iterative basis through a comprehensive pre-application process engagement of engagement with the SDNPA, consultation with East Hampshire District Council (EHDC), the Park's Design Review Panel and through consultation with the local community. There was a strong consensus around the quality of the scheme design and associated package of community benefits

in the recent determination of planning application SDNPA/14/06426/OUT in July 2015, where the application was only refused on the principle of development.

2.3 It should also be noted that there is a package of community facilities (Medical Centre, Sports Facilities and Allotments on site) that are currently consented and could proceed. However, feedback that formed part of the Design Review Process for the planning application recognised that the proposed re-configuration of these facilities put forward as part of the DRP process would have significantly less landscape impact than the current extant permissions were they to be implemented on a standalone basis.

2.4 Essentially, the scheme proposed is both fully deliverable and technically compliant with both design and landscape issues effectively eliminated leaving the principle of development as the only outstanding issue. However, it is clear that Bohunt Park offers an exceptional and exemplar scheme in a highly sustainable edge of park location which would provide a positive precedent for the standards of sustainability expected and necessary for all development in the Park, helping to significantly raise the bar on standards expected for future development (refer to Appendix B). The vision for the site also offers potential for creating a highly accessible 'gateway' to the National Park for existing residents of Liphook, and also visitors arriving by the mainline railway which is only 250m from the site boundary (refer to Appendix C).

2.5 Green Village Investments consider that there is a compelling planning case for Bohunt Park to be allocated as an extension to Liphook in the emerging SDNP Local Plan. The site is economically viable with all technical issues resolved. The potentially exemplar scheme could be delivered within 5 years creating a quality benchmark for the Park relatively early in the plan period.

### 3.0 National Policy Context

3.1 The NPPF at Paragraph 162 *Infrastructure* states:

*Local planning authorities should work with other authorities and providers to:*

- *assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities,*

*waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands....*

**3.2** Furthermore at Paragraph 177 it also states that:

*It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up....*

**3.3** NPPG at Paragraph, 16 Reference ID: 25-016-20140612 states:

*Charging authorities must identify the total cost of infrastructure they wish to fund wholly or partly through the levy. In doing so, they must consider what additional infrastructure is needed in their area to support development, and what other sources of funding are available, based on appropriate evidence.*

*Information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken as part of preparing the relevant Plan (the Local Plan in England, Local Development Plan in Wales, and the London Plan in London). This is because the plan identifies the scale and type of infrastructure needed to deliver the area's local development and growth needs (see paragraphs 162 and 177 of the National Planning Policy Framework in England).*

*In determining the size of its infrastructure funding gap, the charging authority should consider known and expected infrastructure costs and the other possible sources of funding to meet those costs. This process will help the charging authority to identify a levy funding target....*

*The Government recognises that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. Charging authorities should focus on providing evidence of an aggregate funding gap that demonstrates the need to put in place the levy.*

**4.0** **Comments on the Draft CIL Charging Schedule**

**4.1** Approximately one third of the area of the parish of Liphook is located within the SDNP's administrative area. Furthermore there is a strong relationship between Liphook and

communities in the Park in terms of the role that Liphook plays for these communities as a significant service centre. It is also acknowledged that there is a community infrastructure deficit in Liphook. However both the Draft Local Plan and the Infrastructure Delivery Plan do not make any meaningful reference to Liphook. We consider that the Infrastructure Delivery Plan should recognise that there is a community need for significant improvement to the local facilities that serves Liphook and surrounding communities both within and outside the National Park, and that this need should be taken into account in calculating the CIL charging schedule. The Infrastructure Delivery Plan should also acknowledge that essentially a significant part of Liphook's future community facilities will be located within the National Park boundary and recognise that a significant proportion of these facilities already have planning permission and have been partly implemented (consented allotments, Medical Centre, football pitch). Given our view that Bohunt Park should be identified in the Draft Local Plan, the need for further community infrastructure provision in Liphook and its delivery through the proposed development at Bohunt Park should be recognised in the Infrastructure Delivery Plan and should inform the overall CIL calculation.

# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

## COMPLETE RESPONSE

Response ID #420678. Submitted on 25 Sep 2015 15:34 by Harting Parish  
Council (S Bowman)

Response visibility: ANYONE WHO CAN VIEW RESPONSES.

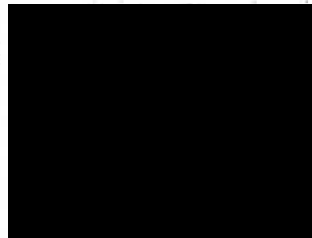
### PUBLIC PROFILE

Name	Harting Parish Council [REDACTED]
Email	[REDACTED]
Date	25 Sep 2015 15:34
Title	[REDACTED]
First Name	[REDACTED]

**Company / Organisation (if applicable)** Harting Parish Council  
**Position / Role (if applicable)** Planning Committee Chairman

## PRIVATE PROFILE

**Address**



**Postcode**

**Phone Number**

**Notify me about Local Plan consultations** Yes

**Notify me about Neighbourhood Plan consultations** Yes

## HIDDEN PROFILE

**Specific Consultees** Yes

**Internal Categorisation** Parish or Town Council (within NPA)



Q1

Do you have any comments on the Draft CIL Charging Schedule?

The CIL rate for large format retail seems relatively low. Such premises take business out of town centres, the use of which needs to be encouraged hence a higher levy would be appropriate.



South Downs National Park Authority Local Plan Preferred Options Hampshire County Council Response – October 2015		Proposed Changes / Amendments
Paragraph / Policy Number	Object / Support / Comment	Comments
Paragraph 9.16 and Paragraph 24 of the Infrastructure Delivery Plan	Comment	<p>The following guidance sets out the current position with respect to funding transport scheme studies and implementation:</p> <p>Specific transport schemes in the Hampshire section of the National Park are identified in the Winchester and East Hampshire district Transport Statements as potential schemes for feasibility studies or implementation when funding becomes available. The schemes in the Transport Statements are not listed in priority order and there is no guarantee that they will be funded. To enable prioritisation schemes would normally require committed funding to allow implementation. All feasibility study requests received are prioritised by HCC firstly on a district wide basis and then countywide to determine which studies to fund. The earliest available opportunity for funding is in year 2016/17 however requests for feasibility funding in that year already exceed the funds available.</p>

Commented [p10]: IDP don't log under Local Plan consultation

South Downs National Park Authority Local Plan Preferred Options Hampshire County Council Response – October 2015		Proposed Changes / Amendments
Paragraph / Policy Number	Object / Support / Comment	Comments
Omission	<p>Comment</p> <p>As a provider of Adult and Social Care services and having responsibilities for Public Health the County Council is concerned to see that the Plan seemingly fails to address directly the problems faced by physically disabled people / people with limited or impaired mobility.</p> <p>Whilst it is acknowledged that it would be difficult to include a bespoke policy which would cover every issue, and while it is accepted that consideration of the needs of those with limited mobility should underpin every policy in that they should be treated no differently to anyone else, it would still be considered helpful if a statement recognising these points could be made in the plan.</p> <p>The planning of all new development and infrastructure provision should facilitate or support a network of high quality environments for those with limited or impaired mobility, be this in terms of new homes, transport and accessibility options, planning routes and opportunities for recreation and so on. Such a statement might helpfully be included in the plan somewhere in the section on 'people connected with places'. More specifically Policy SD18 could also helpfully refer to ensuring that the needs of those with limited or impaired mobility are addressed in considering transport and accessibility even though the general point is broader than transport and accessibility alone.</p>	<p>Amend Point 5 of Policy SD18 as follows:</p> <p>"Priority will be given to movement by pedestrians, cyclists and horse riders in town and village centres, where appropriate. The SDNPA will work with the Local Transport Authorities, District Councils, landowners and developers to provide safe and convenient facilities through the implementation of traffic management schemes, including improved footways and cycle routes, cycle parking and traffic calming, and measures to restrict the impact of heavy goods vehicles and other traffic on historic streets. In working together partners will aim to ensure that the needs of those with limited or impaired mobility are addressed."</p>

Commented [p11]: Log under Policy SD18



Historic England

CIL Consultation  
South Downs National Park Authority  
South Downs Centre  
North Street  
Midhurst  
West Sussex, GU29 9DH.

Our ref: HD/P3331/01

Your ref:

Telephone: 01483 252040

Fax

21<sup>st</sup> October 2015

Dear Sir or Madam,

### **SDNPA CIL Draft Charging Schedule**

Thank you for your e-mail of 3<sup>rd</sup> September advising Historic England of the consultation on the Authority's CIL Draft Charging Schedule. We are pleased to make the following comments.

In our comments on the Preliminary Draft Charging Schedule in April last year, we advised the Authority, in developing its Charging Schedule, to be aware of the implications of any CIL rate on the viability and effective conservation of the historic environment and heritage assets in development proposals. We cited potential circumstances where this issue might arise e.g, where the viability of a scheme designed to respect the setting of a heritage asset in terms of its quantum of development could be threatened by the application of CIL and potential issues for schemes which are designed to secure the long term viability of a heritage asset.

We explained that we encourage local authorities to assert in their CIL Charging Schedules their right to offer CIL relief in exceptional circumstances where development which affects heritage assets and their settings may become unviable it was subject to CIL, and that we also urge local authorities to then offer CIL relief where these circumstances apply.

We note that the Authority makes no mention of its right to offer CIL relief in the Draft Charging Schedule. However, we trust that the Authority will bear our advice in mind and consider offering relief if the circumstances are appropriate.

We hope these comments are helpful. Please contact me if you have any queries.

Thank you again for consulting Historic England.

Cont'd



Historic England, Eastgate Court, 195-205 High Street, Guildford GU1 3EH

Telephone 01483 25 2020 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Yours sincerely,



Martin Small  
Principal Adviser, Historic Environment Planning  
(Bucks, Oxon, Berks, Hampshire, IoW, South Downs National Park and Chichester)

E-mail: [martin.small@historicengland.org.uk](mailto:martin.small@historicengland.org.uk)



**Gareth Giles**

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**From:** Jackie Porter [REDACTED]  
**Sent:** 28 October 2015 11:49  
**To:** CIL  
**Subject:** Response to draft document- support with changes

I support the general thrust of the draft document, and understand the decision to publish any changes as outlined in the paper, but for ease of understanding and financial clarity, could the plans for charging be published with a start and end date so developers will know their financial commitment ?

The payment of CIL minus the sum which excludes the space which will be demolished is not a realistic sum. For example, if a barn is demolished to build a new building, it was by definition, not used. Therefore the creation of usable space should be included in the sum demanded.  
Proof of use within the last five years would provide an exclusion for this sum.  
I believe that this should be changed within the document.

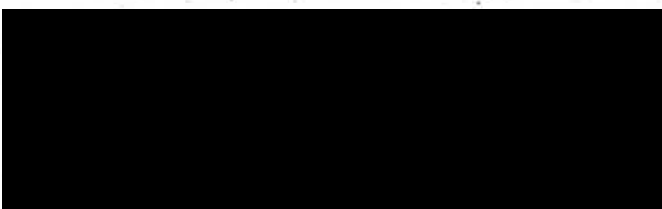
There are also buildings just outside the park, where the land over spills into the SDNP boundary. I presume the CIL demanded by the LA will bring in the same CIL income for education, transport , infrastructure etc? How can we ensure this happens?

kindest regards  
**Jackie Porter**

Liberal Democrat Spokesperson for children in Hampshire

County Councillor representing residents and businesses in the Itchen Valley Division

Charity Trustee



*published as an email by Jackie Porter, The Down House, Itchen Abbas, Winchester SO21 1AX.*





**Gareth Giles**

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**From:** [REDACTED]  
**Sent:** 16 October 2015 16:50  
**To:** CIL  
**Cc:** [REDACTED]  
**Subject:** CIL charging schedule

**Comment on the Infrastructure Delivery Plan**

I am not clear from reading this document that there is sufficient clarity about how CIL is to be spent on providing additional school places in support of housing development.

At para 33, the document states: "SDNPA has complete discretion over the location and type of infrastructure provided" and at para 36 "the agreed mechanism for prioritising the projects on the IDP for CIL funding is yet to be finalised. I can't see anything in the document that defines how much CIL should be allocated to schooling apart from global figures in the table at para 29:

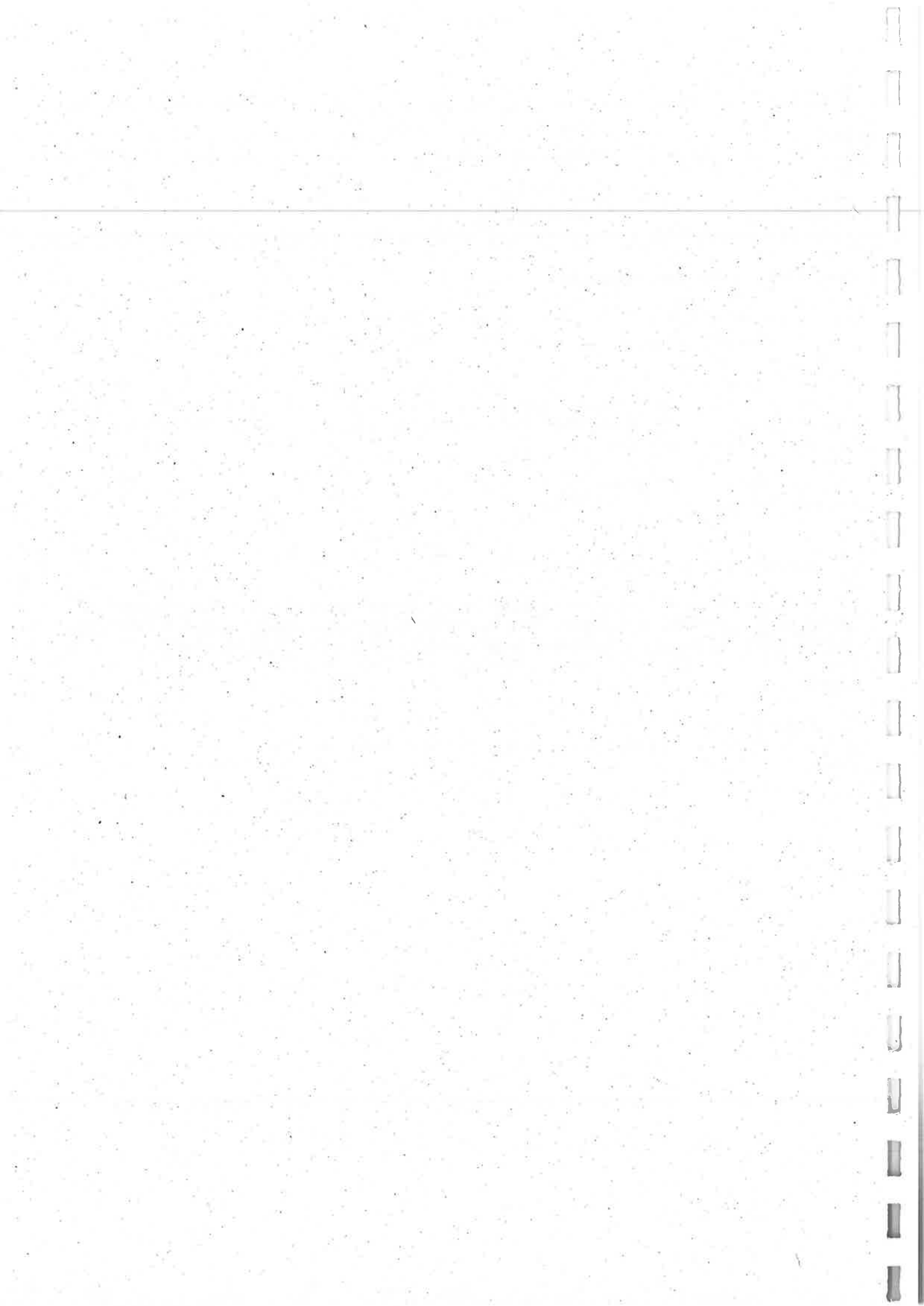
Primary Education	£12,620,000
Secondary Education	£777,000

(The amount for secondary seems strangely small.)

I think it is unsatisfactory that "the agreed mechanism for prioritising the projects" has not been defined and published. It is important that a developer's substantial contribution through CIL should have a direct link to the cost of providing appropriate educational resource. Accordingly, I object to the IDP on these grounds.

Regards

[REDACTED]



**South Downs National Park  
Community Infrastructure Levy  
Consultation October 2015**

**Comments of Liss Parish Council**

(incorporating comments from the Liss Village Neighbourhood Plan Steering Group)

1. Liss Parish Council strongly objects to the proposed residential charging regime in the draft CIL Charging Schedule. It maintains the general points made at the time of the consultation on the preliminary charging schedule in 2014 but they are updated below.
2. Liss Parish Council does not consider that the evidence justifies different CIL rates across the park and considers the use of different rates will significantly impact on the provision of infrastructure. The Council is strongly of the view that the rate set for Liss should be the same as for Petersfield. In view of the general level of high economic viability, the numerous anomalies in the data, and the need to ensure that a fair share of money is available to be invested locally it is a questionable whether there is a need for any differentiation between different places.

**a. The analysis on which the differential charging rate for Liss is based is significantly flawed and unreliable**

3. In our view the basis for making distinctions between Liss and other areas is flawed and unreliable and is not sufficiently robust as to justify the differential rate that it is proposed to be applied to Liss. This is because:

- i. The work undertaken by DSP on which the differential charges are based used the settlement hierarchy originally proposed by the Park Authority that separated the central part of Liss from Liss Forest, West Liss and Hill Brow. Their analysis produced a rate of £100 per square metre for the central part of Liss but the other areas were included in the area covered by £200 per square metre.

However, the draft local plan is now proposing to define Liss as including Liss Forest and West Liss with the central part of Liss. It appears that the £100 per square metre now relates to that larger settlement of Liss. Thus, areas which were previously covered by £200 per square metre are now to be included in the £100 per square metre. There appears to be no justification of this change to the charge. Indeed, it appears that the impact of this change in the definition of the settlement on the CIL rate has been overlooked. More generally, it illustrates the arbitrary nature of the distinction between different charging levels, which are sensitive to redrawing boundaries even though there is no change on the ground.

- ii. The data used by DSP is not robust. Most of it relates to the sale of existing properties and not new build, even though the CIL only applies to new build. In fact, the data in Appendix III of their report shows that for new residential build the values

per square metre are higher in Liss than Petersfield, Midhurst and other areas. While that data may be dismissed as based on few sales that simply emphasises that the data is not robust and is an insufficient basis for making fine distinctions between one area and another.

It is not helped that the DSP viability assessment is extremely poor in carrying through and justifying the argument from the data through to its conclusions. For example, tables and figures are not numbered, there are few clear references in the text to which particular data is relied on, and why, and the textual references to Liss are frankly incoherent in places (see, for example, the wording of the table under para 31 of the executive summary).

**b. There is lack of perspective in the approach to differential rates, particularly for Liss**

4. The area of the park as a whole has some of the highest levels of residential value and economic viability in the country, which is acknowledged by the DSP viability assessment (see para 3.2.4). The legislation is designed to ensure that CIL does not jeopardise economic viability in areas of low value, for example, in parts of the north of England. Within the context of the park, with high levels of economic viability and few, if any, areas at risk of development that is not economically viable the case for significant differences in rates is very weak. It is noticeable that in those areas adjoining the park that have an approved CIL charge the ranges covered by the rates are significantly smaller than that proposed in the park. East Hants District Council are proposing a rate of £180 for Liphook, a village close to and similar to Liss which is partly within and partly outside the park, and it is only for Whitehall/Bordon a town where development is being promoted and values are relatively low that CIL rates as low as for Liss are proposed in East Hampshire.
5. In fact, the viability assessment by DSP makes it clear that CIL will only have a marginal impact on economic viability (see para 2.11.3 for example). The information in Appendix III of the DSP report and comments in the assessment (see paras 3.2.3 and 3.2.4, for example) also show that there is considerable variation in values at a local level between settlements in the rural area.
6. Against the background of the position of the park as a whole and the uncertain variation at a local level, the justification for treating all the rural area as one, and the differentiation of the major settlements from adjoining areas, is totally inadequate. The application of very wide differences in the level of charge is not adequately justified as necessary to maintain economic viability, and there is no recognition of the anomalies that will result. The CIL guidance emphasises the need to take a pragmatic view (Para 28).

**c. The overall approach to charging within the national park does not follow government guidance**

7. Government regulations and guidance require that the charging authority in setting levy rates "must aim to strike what appears to the charging authority to be an appropriate

balance between the desirability of funding infrastructure from the levy and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across the area" (Para 7 of DCLG Community Infrastructure Levy, April 2013). Subsequent paragraphs of the guidance state that a starting point is establishing a CIL infrastructure funding target based on infrastructure costs (Para 14) and that charging authorities should demonstrate how the charging rates support development (Para 21). The charging rates put forward, however, are based entirely on the DSP viability assessment. There is no analysis of infrastructure needs across the area and in the draft Infrastructure Delivery Plan there is no detail on the infrastructure needs of the park.

8. We acknowledge that government regulation and guidance specify that differential rates between places should only be based on maintaining economic viability. However, the proper approach should be to justify the level of charge required for the park as a whole, taking account of the balance between infrastructure need and economic viability, and then look at the issue of differentiation based solely on the question of economic viability.

**d. The proposed charges for Liss would militate against the provision of adequate infrastructure in Liss**

9. The draft CIL charging schedule shows that for Liss the difference between applying the proposed £100 or, say, the £150 applied in Petersfield would be £405,000 on the minimum of 90 market homes proposed on greenfield sites in Liss. A proportion of any monies raised by the levy has to be spent locally (25% with our neighbourhood plan in place) and Liss would therefore have significantly less money raised from each new residential unit than other areas.



## Gareth Giles

---

**From:** [REDACTED]  
**Sent:** 28 October 2015 16:42  
**To:** CIL  
**Subject:** IDP

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Dear Sirs,

Your IDP has only today been drawn to my attention so I am writing to you in haste.

There is a long time urgent need for a safe roadside path for horse riders and walkers alongside the B2116 from Offham to Ditchling. A very large number of people who live in the villages just to the north of the Downs are deterred from walking or riding on the hill because of the dangers of access. There are some short lengths of safe path that have been created with the help of the Mid Sussex Area Bridleways Group and some of us local residents but they need to be linked together.

A recent survey revealed that there are at least 200 horses kept and ridden around East Chiltington so money spent on this project would be put to good use.

Yours faithfully  
[REDACTED]



This email has been checked for viruses by Avast antivirus software.  
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## Gareth Giles

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**From:** Tom Ormesher <Tom.Ormesher@nfu.org.uk>  
**Sent:** 27 October 2015 13:26  
**To:** CIL  
**Subject:** CIL Consultation - NFU Response

Agricultural developments place no or in a few cases a very limited extra burden upon infrastructure. The CIL is essentially a levy on the enhanced value of development land. There is no enhanced land value with agricultural development and therefore the CIL would have to be paid from revenue; potentially making many agricultural developments unviable. This applies as much to the development of residential dwellings for essential farm workers (subject to agricultural occupancy condition) as it does to any other type of farm development.

In our reading of the charging schedule we might assume that residential for essential farm workers will be considered as "self-build" and would therefore not attract a charge under the draft charging schedule. This is only our assumption and may not be applied in the decision making process. For the avoidance of doubt, we suggest that essential rural workers dwellings should be included as a discretionary addition to the list provided in Paragraph 14 of the consultation document. If this is not possible we recommend that a footnote is added to the Table in Paragraph 12, which states that the charging schedule does not apply to essential rural workers dwellings as these are considered a farm development and consequently zero rated.

For agriculture to become sustainable in the future it will be essential that developments including all agriculture buildings and structure's, agriculturally tied buildings and any barn conversions are able to gain planning permission easily and without any additional costs. We therefore respectfully request the changes as specified above.

With kind regards  
Tom

**Tom Ormesher**  
Regional Environment & Land Use Adviser

**NFU South East Region**  
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Hampshire  
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Thank you for Backing British

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NFU, Registered in England No. 245E

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# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

### COMPLETE RESPONSE

Response ID #428114. Submitted on 13 Oct 2015 10:47 by Notcutts  
Limited [REDACTED]

Response visibility: ANYONE WHO CAN VIEW RESPONSES.

#### PUBLIC PROFILE

Name	Notcutts Limited ([REDACTED])
Email	[REDACTED]
Date	13 Oct 2015 10:47
Title	
First Name	[REDACTED]

Company / Organisation (if applicable) Notcutts Limited

Position / Role (if applicable)

## PRIVATE PROFILE

Address

Postcode

Phone Number

Notify me about Local Plan consultations Yes

Notify me about Neighbourhood Plan consultations Yes

## HIDDEN PROFILE

Specific Consultees No

Internal Categorisation ==uncategorized==

Q1

Do you have any comments on the Draft CIL Charging Schedule?

Large Format Retail.

It is unclear whether the rate of £120/sqm is proposed to be applied to outlets such as garden centres which potentially could be regarded as "retail" selling "other ranges of goods, catering for mainly car-borne users" or whether this sector would fall into the "All other development" category?

It is assumed that the £120/sqm CIL rate would not apply, and that the policy is targeted at foodstores and retail parks, as whilst £120/sqm may be a sustainable rate to apply to a foodstore or retail warehouse development, it would not be a sustainable rate to apply to a garden centre development or extension. Clarity in your Schedule would be helpful to avoid any future confusion.

If we are wrong in our assumptions then we would take issue with the rate of £120/sqm for garden centres as this would be totally unsustainable and we would submit that they should instead be rated at 0.



CIL Consultation  
South Downs National Park Authority  
South Downs Centre  
North Street  
Midhurst  
West Sussex  
DU29 9DH

25<sup>th</sup> October 2015

Our Ref: 15/2659

Dear Sirs

#### **South Downs National Park Authority Community Infrastructure Levy (CIL) Draft Charging Schedule Consultation**

On behalf of our clients, Mr Miles Leslie and Mr Oliver Leslie, please find below representations made in response to the South Downs National Park Authority (SDNPA) Community Infrastructure Levy (CIL) Draft Charging Schedule, which is out for public consultation until Wednesday 28<sup>th</sup> October 2015.

#### Residential Charging Rate

The NPPF, at paragraphs 173 and 175, explains that policy burdens on development and planning obligations should not threaten viability or deliverability. Evidence is needed to demonstrate that the proposed rates will be viable for the sufficient number and type of developments upon which the development plan relies over the course of the plan period. Otherwise there is a danger that CIL will impact upon development delivery.

Although the Council's approach in setting variable CIL rates for residential development across different parts of National Park area is identified within the Draft Charging Schedule, the range across the three zones is broad. Proposed rates of £150 per sq m within Zone 1, £100 per sq m within Zone 2 and £200 per sq m for Zone 3 are identified within the Draft Charging Schedule. In setting CIL rates the SDNPA must strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. Further information relating to economic viability should be provided to support these differentials.

Given the extent of the National Park area and the variety of sites covered it is important for a broader number of scenarios to be tested prior to setting of the CIL rates. This is necessary to demonstrate that the figures used reflect true values which extend across the National Park, and to ensure they reflect the regional disparities resulting from the different areas and forms of development which exist within the National Park. Requirements to pay CIL at the rates proposed may affect the deliverability of sites, thereby reducing the number of new homes provided and potentially damaging the National Park's ability to meet its housing requirements.

Directors  
Helen Cuthbert | Stuart Slatter | Claire Temple  
Associate Director  
Alastair Close

Consultants  
Caroline Dawson | Dan Templeton  
Associates  
Rob Scadding | Katie Turvey | Heather Vickers | Alan Williams | Nick Willock

### Land and Infrastructure In Kind

We welcome the inclusion within the Charging Schedule that the SDNPA will accept, at its discretion, the CIL charge to be offset in whole or in part by the value of any infrastructure provided or constructed by the applicant. This choice is considered appropriate to enable flexibility for developers to directly provide the infrastructure needed to support new development, rather than paying for it indirectly through CIL charges. The potential benefits to small settlements and villages within the National Park as a result of infrastructure provision can be significant to the local community and therefore this proposed mechanism to deliver local infrastructure improvements is supported.

### Instalment Policy

The Draft Charging Schedule sets out how the SDNPA will accept, at its discretion, the payment of CIL *"by instalments to provide flexibility and support for more complicated developments"* and that for larger developments *"CIL payments can be linked to phased planning permissions over time"*.

It also sets out how the SDNPA will accept, at its discretion, the CIL charge to be *"offset in whole or in part by the value of any infrastructure provided or constructed by the applicant. The CIL charge may also be offset in whole or in part by the value of any land transferred to the SDNPA, where it would support the provision of necessary infrastructure."*

Whilst we welcome the inclusion of implementation choices, we would suggest that there be more flexibility on the SDNPA's part regarding payment through instalments. The chargeable rates of up to £200 per sq m mean that a significant amount will be owed to the SDNPA, even from smaller developments. This could result in issues of viability if the payment is to be made in a single lump sum and as a consequence the deliverability of sites could be harmed, thereby reducing the potential for the National Park to meet its requirements for new homes across the Local Plan period.

The inclusion of an instalment policy is suitable to recognise that increased flexibility in paying the levy is essential for developers because they may only have access to certain levels of funding throughout the construction process. For example, significant up-front costs are often needed to unlock development. Funding is often dependent on sale volumes, market conditions and lending criteria. If the Council were not to offer flexibility and the ability to pay in instalments, this could threaten the deliverability of development projects. Therefore, the option to pay through instalments should be more widely available, for developments of various sizes, rather than just for 'complicated' developments.

In providing an instalment policy, it is important that the following are covered:

- The commencement of any instalment policy on adoption of CIL;
- The number of instalments that can be made by development size;
- The timings of payments post commencement – based on timeframes which have regard to availability of capital and average build rates; and
- The minimum development threshold which instalments would not apply (this should be set as low as possible).



We trust that the above will be taken into account and ask the SDNPA to consider the points raised above and to make appropriate amendments to the Draft Charging Schedule before it is submitted for examination. We would be most grateful to be kept informed of progress. In the meantime, please do not hesitate to contact us should there be any queries regarding the above.

Yours sincerely,



Stuart Slatter

Director

**Planning Potential**



RLG/518/46/2

28 October 2015

CIL Consultation  
SDNPA CIL Project Manager  
South Downs Centre  
North Street  
Midhurst  
West Sussex  
GU29 9DH

Sent via email: [CIL@southdowns.gov.uk](mailto:CIL@southdowns.gov.uk)

Dear Sir/Madam,

**RE: SOUTH DOWNS NATIONAL PARK AUTHORITY (SDNPA) – COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE CONSULTATION (SEPTEMBER 2015)**

We act on behalf of Callstone Ltd and are instructed to submit representations in respect of the above consultation. Representations were previously made in respect of the Preliminary Draft Charging Schedule, in April 2014, and our comments should be cross-referenced.

Callstone Ltd is the owner of the Shoreham Cements Works (SCW), Upper Beeding within South Downs National Park (SDNP). Within the SDNP Local Plan (Preferred Options) Policy SD32 identifies SCW as one of three strategic sites. Our client is therefore a key stakeholder within the SDNP and these representations are made to ensure that the delivery of the site is not undermined by the introduction of a Community Infrastructure Levy (CIL) charge.

At this stage, we are not making any specific representations on the viability evidence (January 2014) although we may wish to do so in the future (particularly if it is updated in advance of any Examination on the Charging Schedule). Rather, the main focus of these representations is based upon the content of the draft Charging Schedule and the Infrastructure Delivery Plan (September 2015).

Accordingly, we set out our comments below:

**1. Proposed Chargeable Development:**

As previously stated, we consider it is correct and proper to limit chargeable development to residential and large format retailing; these types of development are most likely to be able to sustain additional development costs, such as CIL. Other uses, such as employment, tourism and leisure, which are promoted across the SDNP, are unlikely to be capable of being viable with a CIL liability.



As previously commented, we consider that the threshold for defining 'large format retail' at a net retail selling space of over 280 sq.m, is significantly too low. Instead, it is considered that the threshold should be in line with the NPPF retail impact threshold of 2,500 sq.m, a level of retail provision which could reasonably be commensurate with 'large format' and would be able to sustain a CIL liability.

In addition, it is noted that when the previous consultation representations were reported to Committee, in the CIL Consultation Response Summary (Agenda Item 11, 26 June 2014), it was stated that the 2,500sq.m threshold would be explored at the next stages. However, there is no further evidence on this point.

**2. Differential Residential CIL Rates:**

It is noted that SDNP has not amended the differential residential rates for geographical zones since the previous consultation.

As per our previous representations, the zonal approach assumes that the cost associated with bringing forward sites in Zone 3 would be the same, notwithstanding whether they are greenfield or brownfield, and ignores the higher costs associated with developing brownfield sites.

The CIL Consultation Response Summary states that viability consultant's are of the view that "strategic sites" may need to be considered for a lower rate and would need to be set as a differential zone. However, more detail on the proposal development and infrastructure costs will need to determine any CIL treatment through a site-specific viability appraisal and CIL Regulation 123 infrastructure list.

However, the current consultation does not include different rates for "strategic sites" therefore, we would reserve our client's position for Examination when the development proposal and infrastructure requirements have evolved.

**3. Payment by Instalments:**

The inclusion of payment instalments is supported to ensure payment can be phased, to provide flexibility and support for more complicated or larger scale schemes (such as SCW). It is noted that an "instalment policy" will be published alongside the adopted Charging Schedule and we reserve the right to comment on the policy at Examination.

**4. Relief for Exceptional Circumstances:**

The inclusion of relief for exceptional circumstances is supported to provide flexibility to deal with complex sites (such as SCW) which are proved to have exceptional costs or other requirements which make them unviable.



**5. Relief for Charitable Investment Activities:**

Again, there is no objection to this in principle, as long as it is ensured that other schemes do not need to subsidise/bear the burden of the infrastructure costs that these schemes will incur.

**6. Relief for Low Cost Market Housing:**

Support is reiterated for relief for low cost marking housing, in principle, as it will foster the provision of new housing within the SDNP to meet local needs. This relief may be particularly important on large scale sites, such as SCW, where viability will be at a 'tipping point'.

**7. Infrastructure Delivery Plan**

It is noted that SDNP has prepared an Infrastructure Delivery Plan (IDP) (September 2015) to identify infrastructure projects that the CIL will be used for, and those projects which fall outside. However, the IDP although stating (at page 7) that over 400 projects have been identified, a complete list has not been provided and details of how these projects qualify for CIL funding. At present, a summary table (at page 10) groups the potential CIL funding required into seven categories and into further sub-categories:

In order to prevent "double dipping", whereby contributions are effectively made twice for the same infrastructure provision it is requested that a complete list of the infrastructure projects and a CIL Regulations 123 infrastructure list is made available in advance of examination.

**Conclusion**

Given the importance of SCW to the delivery of planned growth and landscape restoration within SDNP, Callstone Ltd is a key stakeholder. These representations are made to ensure that the delivery of SCW; a key "strategic site" identified within the SDNP, is not undermined by the introduction of CIL. In these terms, we request you keep us informed of the progress of the draft CIL and its Examination. We also wish to reserve the right to attend the Examination.

We trust that these representations are received as 'duly made' and that any comments made in this submission will be taken forward in the SDNPA's continuation of adopting a CIL charging schedule. If you have any further queries then please do not hesitate to contact Simon Chapman ([sjc@rapleys.co.uk](mailto:sjc@rapleys.co.uk) Tel: 07836 262279).

Yours faithfully,

Rapleys LLP  
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**By e-mail and by post**  
[CIL@southdowns.gov.uk](mailto:CIL@southdowns.gov.uk)

Our ref: PPG/NG/45107711/Santon  
Your ref:

28 October 2015

Dear Sirs

## **South Downs National Park: Community Infrastructure Regulations Draft Charging Schedule consultation response**

We represent Santon North Street Limited, a development company promoting the development of a substantial site in Lewes, in the South Downs National Park.

We are responding to the South Downs National Park Authority's Draft Charging Schedule consultation in order to reiterate our client's concerns about the proposed charges and the report on which they are based. Our client previously responded to the preliminary draft charging schedule consultation in March 2014, and wishes to reserve the right to give evidence at the examination of the charging schedule if necessary.

We understand from conversations with the CIL Officer that the SDNPA has commissioned an updated viability report from Dixon Searle, but that this will not be received until after this consultation closes on 28 October 2015.

As the purpose of the updated viability schedule is to inform the rates contained in the draft charging schedule, we are concerned that this consultation is somewhat premature. We would request that the consultation be re-opened once the revised viability report is available to allow interested parties to comment on its content.

### **A. Impact of CIL on the Viability of Strategic Sites**

As stated in our earlier representations (enclosed), we are concerned that Dixon Searle's viability assessment expressly excludes the consideration of strategic developments within the National Park. Since the Lewes District Council and South Downs National Park Authority, Lewes District Local Plan Part 1- Joint Core Strategy (JCS) was published in January 2013, a proposal to allocate a strategic site (under Policy SP3) will have been known.

A hybrid planning application (ref: SDNP/15/01146/FUL) relating to what is known as the North Street Quarter (being part of the policy area) has been submitted in accordance with Policy SP3. The application is due to be considered at planning committee in December 2015.

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We have previously argued that this site should be treated as a strategic site for the purposes of CIL, and a bespoke viability assessment should be carried out to address the very high levels of remediation works and additional infrastructure required to bring the scheme forward. We are disappointed that these representations have not been taken on board.

Given the sheer size and extent of the proposed development scheme and the SDNPA's ambitious timetable for adopted its Charging Schedule, it remains possible that permission for the site will not be granted until after the Charging Schedule has come into effect. As such, we again urge the SDNPA to:

1. Conduct a detailed appraisal on the impact of CIL on the viability of the site (which is allocated as a strategic site under Policy SP3 in the JCS and under Policy SD34 in the South Downs Local Plan Preferred Options); and
2. Due to the high level of infrastructure costs involved in the proposed regeneration works, seriously consider either allocating the site as a nil-rate charging zone for CIL purposes or introducing a much lower residential charging rate in relation to it.

#### **B. Concerns about Proposed Residential Charging Rates**

We remain concerned that the SDNPA has set a proposed charging rate before it has finalised its affordable housing strategy for the National Park. This concern was raised in our representations in March 2014, and from the consultation documentation published in respect of the draft charging schedule, very little progress appears to have been made on the affordable housing strategy for the National Park in the interim.

We should be grateful if the SDNPA would consider postponing further work on its CIL charging schedule until there is greater clarity on the Authority's Affordable Housing position. Alternatively, if there have been significant developments with the Park's Affordable Housing Strategy over the last 18 months, then the updated proposals should be published and the draft charging schedule should be re-consulted upon in light of them.

For the reasons set out in our earlier submissions, we also remain concerned that the proposed residential rates of £100 to £200 per square metre are too high given the type of developments that are likely to come forward in the National Park and the costs associated with the higher standards of design and sustainability required for development within the Park.

#### **C. Exceptional Circumstances Relief**

Given the high infrastructure costs inherent in redeveloping brown field or previously developed schemes, we are disappointed that the SDNPA does not propose adopting exceptional circumstances relief within the National Park.

The viability of any particular development scheme is finely balanced and will fluctuate depending on the costs involved in the development, the state of the economy when the development comes forward, and the SDNPA's own policy position on matters such as ecological offsetting and affordable housing. By adopting exceptional circumstances relief, the SDNPA will have the flexibility to allow strategic development schemes to come forward by exempting them from the CIL charge or reducing it in certain circumstances.

The role that could be played by this relief is particularly important given the SDNPA's current position not to consider any strategically important sites when commissioning the viability assessment that underpins the draft charging schedule. Dixon Searle themselves acknowledge that the assessment conducted does not address strategic sites, nor does it take adequate account of the infrastructure requirements of this scheme. Adopting this



relief would enable the SDNPA to remedy these deficiencies in the evidence base of the charging schedule in appropriate circumstances.

**D. Provision of Land and Infrastructure In Kind**

Whilst we welcome the SDNPA's decision to adopt policies allowing for CIL to be paid through the provision of land or infrastructure, we would reiterate the importance of ensuring that the land or infrastructure provided is sufficiently connected to the scheme so as to enhance or enable the development to come forward. The more detailed representations set out in our response to the preliminary draft charging schedule consultation continue to apply.

**E. Relief for Low-Cost Market Housing**

Low-Cost Market Housing is often requested in order to assist with delivering affordable housing to local residents but is excluded from the NPPF's definition of Affordable Housing (and therefore ineligible for Affordable Housing CIL Relief). As such, it would be desirable for the SDNPA to adopt a discretionary relief that exempts Low Cost Market Housing from CIL on the same terms as the Affordable Housing relief exempts other "official" forms of Affordable Housing Provision – such as shared ownership or affordable rented housing.

**F. Instalments**


We welcome the SDNPA's decision to adopt an instalments policy for CIL although we are disappointed that the details of the instalments policy will not be consulted on.

As you are aware, managing cash-flow is a vital part of any development project. Adopting a policy to allow for the payment of CIL by instalments would allow developers to spread the cost of the levy throughout the life-span of the project which, in turn, would increase the likelihood of consented schemes being delivered.

For reasons detailed in our earlier representations, we would recommend that any instalment policy should link the instalments to the pace of the actual development and should not link the instalments to an arbitrary time frame following on from the date the development is commenced.

We hope you find these thoughts helpful. We will be happy to discuss any aspect of them with you or your team at any convenient moment.

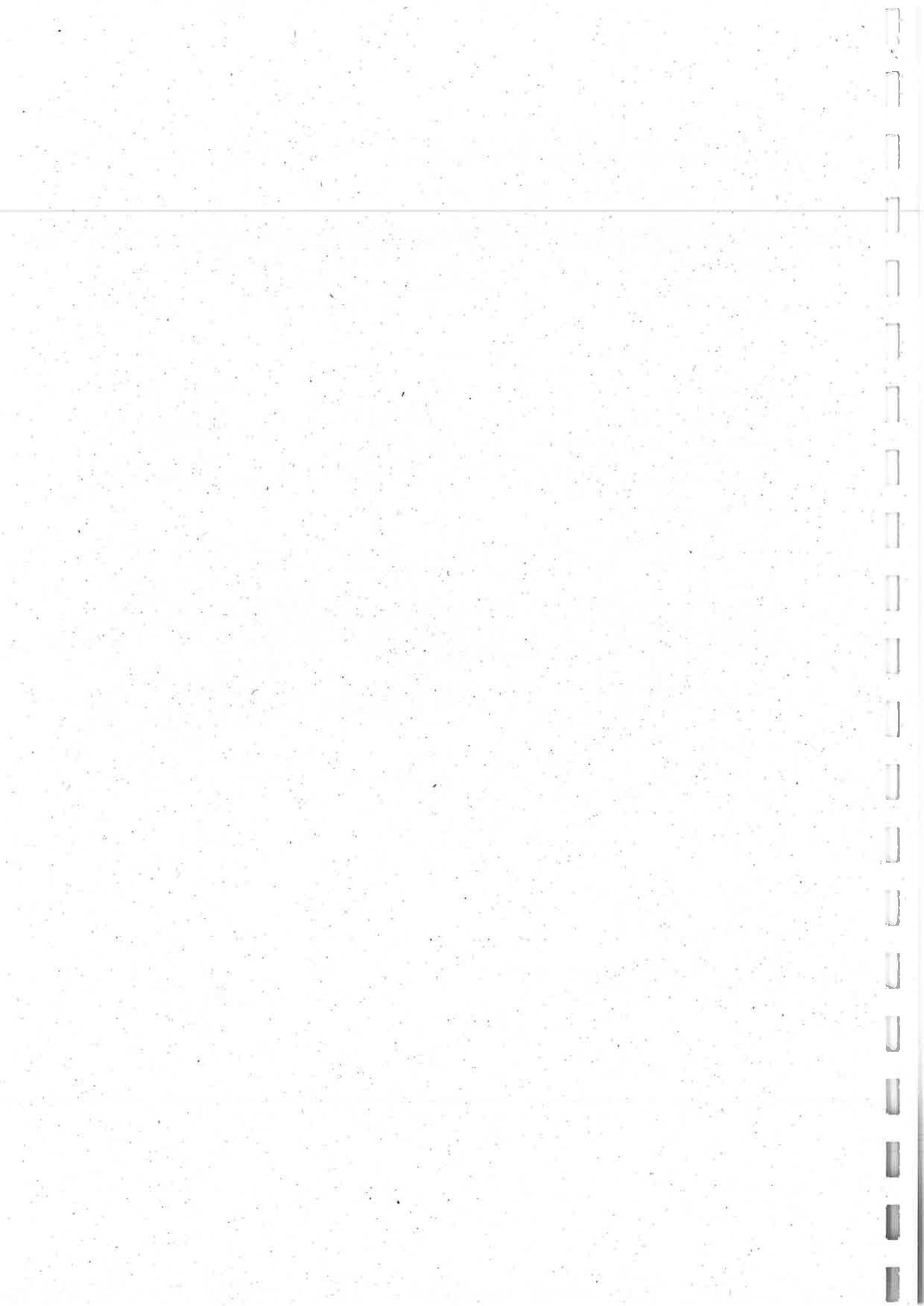
Yours faithfully



**Thomas Eggar LLP**

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MIDHURST, West Sussex  
GU29 9LU

Our ref: PPG/CD/NG/AMW  
Your ref:

31 March 2014

Dear Sirs

**South Downs National Park: Community Infrastructure Regulations  
Preliminary Draft Charging Schedule Consultation Response**

We represent Santon North Street Limited, a development company promoting the development of a substantial site in North East Lewes, in the South Downs National Park.

We have been instructed to respond to the South Downs National Park Authority's Preliminary Draft Charging Schedule consultation, in order to express our client's concerns about the proposed charges and the report on which they are based.

**A Impact of CIL on the viability of strategic sites**

At paragraph 2.10.3 of Dixon Searle's Viability Assessment ('the Report') it states:

*'On larger, strategic scale allowances would need to be made for increased levels of infrastructure (through s.106) assuming the requirement for on-site provision in these cases. Through discussions with NPA Officers it was decided that schemes of this scale were unlikely to come forward within the National Park within the life of the first charging schedule. Should this position change then a review of larger scale strategic sites and associated infrastructure/on-site s.106 requirements would be needed.'*

(Our emphasis)

Santon is currently promoting a major strategic development scheme in the North East Quarter of Lewes. This is an area which is in need of significant investment and regeneration. The site is supported for redevelopment in the emerging draft Joint Core Strategy for the town, which was produced jointly by both the South Downs National Park Authority ('SDNPA') and Lewes District Council.

Spatial Policy 3 of the submission draft core strategy proposes that the site be allocated for:

- Approximately 350 residential units, predominantly focused towards the northern part of the site;
- Between 4,000 square metres and 5,000 square metres of B1a office floor space;

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- Retail floor space that meets a qualitative need in the town, predominantly for comparison goods;
- A hotel;
- The redevelopment or relocation of the existing food store;
- Other uses that are deemed to aid the successful delivery of a new neighbourhood, whilst not undermining the wider function of the town (this could include A2 financial and professional services, A3 restaurants and cafés, A4 drinking establishments, A5 hot food takeaways and community floor space); and
- D1 medical and health services, and D2 leisure floor space.

Given the well-established development aspirations for the site, and our client's long-running negotiations with both Lewes District Council and the SDNPA, it is surprising that this scheme was not included as a strategic development site in the viability assessment.

As you are aware, the regeneration works proposed will include significant on-site infrastructure costs – for example, the currently proposed flood defences for the scheme include a podium deck below residential accommodation; new flood defences along the west bank of the river Ouse, and extending considerably to the west of the development site to complete the 'ring' of Lewes' flood defences; temporary flood defences between Phase 1 and Phase 2 which will operate between the completion of Phase 1 and the completion of Phase 2, and the phase 2 flood defences.

Given the sheer size and extent of the proposed development scheme and the SDNPA's ambitious timetable for adopted its Charging Schedule, it is possible that permission for the site will not be granted until after the Charging Schedule has come into effect. As such, we should be grateful if the SDNPA would:

- 1 Conduct a detailed appraisal on the impact of CIL on the viability of the site (which is recognised as a strategic site in the emerging core strategy); and
- 2 Owing to the high level of infrastructure costs involved in the proposed regeneration works, seriously consider allocating the site as a nil-rate charging zone for CIL purposes.

The alternative will be to run the risk that Santon will finish up in a high stakes race with the SDNPA's adoption team, as Santon tries to get planning permission issued before the scheme is made unviable by the adoption of CIL. That would not be conducive with the proper consideration of the planning issues that a major strategic development scheme warrants. It is an unnecessary scenario, and one that can be easily avoided.

## **B Concerns about proposed residential charging rates**

We are concerned that the SDNPA has set a proposed charging rate before it has finalised its affordable housing strategy for the National Park. As the report acknowledges, the level of affordable housing provision required by a local planning authority is one of the key factors in establishing the potential viability of a scheme and the CIL levy that it can be realistically expected to bear. Although we acknowledge that both the proposed CIL rates, and the SDNPA's affordable housing strategy are at an early stage, the two are very closely linked and the impact of one upon the other needs to be borne in mind throughout the development of both policies.

We should be grateful therefore if the SDNPA would consider postponing further work on its CIL charging schedule until there is greater clarity on the Council's Affordable Housing position.

Similarly, we are concerned that the SDNPA appears to have begun the process of setting its CIL rates before it has firmly established:

- What infrastructure is required in the National Park during the lifespan of the charging schedule;
- How much it is likely to cost to fund this infrastructure, and what funding is currently available for it; and
- Whether or not there is actually an infrastructure funding gap such as to necessitate the introduction of a CIL Charging Schedule at all.

Without this evidence, it is impossible to verify whether the rates proposed are reasonable. Further, it is not possible that the SDNPA can meet its legal duty to strike a balance between the desirability of funding necessary infrastructure projects, and the impact of introducing CIL on the viability of development schemes in its area, without knowing (i) which infrastructure projects are 'necessary' for the purposes of the Regulations; and (ii) how much money (if any) is required to fund the required infrastructure projects. Without an awareness of what will comprise one side of the equation, and its cost, it is simply impossible properly to conduct the necessary balancing exercise.

In addition to the above, we are concerned that the proposed residential rates of £100 to £200 per square metre are too high, given the type of developments that are likely to come forward in the National Park.

As the report recognises, because of the setting and protections afforded to the National Park, the vast majority of development schemes brought forward will involve in-fill sites or previously developed or brown field land. These types of sites involve much higher site preparation and infrastructure costs, as well as site-specific issues such as demolition and rebuilding, neighbour protection, decontamination works, and archaeological investigations which are likely to be more common.

For those rare schemes that are granted permission to proceed on green field sites, the ecological off-setting and landscaping requirements for the scheme are likely to be extensive, and it does not appear that these costs have been adequately accounted for.

### **C Exceptional circumstances relief**

Given the high infrastructure costs inherent in redeveloping brown field or previously developed schemes, we would urge the SDNPA to adopt exceptional circumstances relief within the National Park.

The viability of any particular development scheme is finely balanced and will fluctuate depending on the costs involved in the development, the state of the economy when the development comes forward, and the SDNPA's own policy position on matters such as ecological off-setting and affordable housing. By adopting exceptional circumstances relief, the SDNPA will have the flexibility to allow strategic or desirable, but unprofitable or marginally profitable development schemes to come forward by exempting them from the CIL charge or reducing it in certain circumstances.

Simply exempting schemes from certain site-specific Section 106 obligations is unlikely to be sufficient to counteract the negative impact of the CIL charge, particularly as not all schemes would attract an affordable housing requirement or infrastructure costs which

could be waived. Further, the types of strategic development which are most likely to be of interest to the SDNPA, such as large regeneration or housing schemes, are precisely the types of development which are likely to carry heavy site-specific infrastructure costs, which will be funded under Section 106, and are most likely to qualify for exceptional circumstances relief. We therefore urge the SDNPA to adopt it.

#### **D Provision of land and infrastructure in kind**

Whilst we would encourage the SDNPA to adopt policies allowing for CIL liability to be paid through the provision of land or infrastructure, care should be taken to ensure that the land or infrastructure provided is sufficiently connected to the scheme so as to enhance or enable the development to come forward.

One of the difficulties inherent in the CIL regime is that there is no obligation for the charging authority to deliver the items listed on its Regulation 123 list. This leaves open the possibility that a development may be reliant on (for example) the creation of a new road that has been included on the charging authority's Regulation 123 list, pays its contribution for the road through the CIL charge, and then is unable to be delivered because the required road does not come forward during the lifetime of the development's planning permission. A carefully drawn policy for payment through the provision of infrastructure could go a long way to resolving this issue.

#### **E Relief for low-cost market housing**

Low-cost market housing is often requested in order to assist with delivering affordable housing to local residents, but is excluded from the NPPF's definition of Affordable Housing (and therefore ineligible for Affordable Housing CIL Relief). As such it would be sensible for the SDNPA to adopt a discretionary relief that exempts low cost market housing from CIL on the same terms as the Affordable Housing relief exempts other 'official' forms of Affordable Housing provision - such as shared ownership or affordable rented housing.

#### **F Instalments**

As you are aware, managing cash-flow is a vital part of any development project. Adopting a policy to allow for the payment of CIL by instalments would allow developers to spread the cost of the levy throughout the lifespan of the project, which in turn would increase the likelihood of consented schemes being delivered.

As such, we would strongly encourage the SDNPA to adopt a realistic instalment policy that spreads the cost of CIL over a number of months or years (depending on the size of the development scheme proposed).

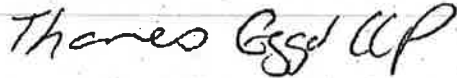
We would recommend that any instalment policy should link the instalments to the pace of the actual development; and should not link the instalments to an arbitrary time frame following on from the date the development is commenced.

For very large schemes, the later stages of the development are often funded by sales receipts from the earlier ones. A developer, when commencing the scheme, may not be aware with any degree of certainty as to when they will be in funds to commence work on the later stages of the scheme. Consequently, we would prefer to see CIL payments linked to defined stages of the development, or to the commencement of (for example) the first, fifty-first, one hundred and first etc houses, rather than two payments being made upon the commencement of the development, and then on the six month, twelve month, or eighteen month and so on anniversaries of that date. The reason for this is simple: a developer is less likely to be willing to put that first shovel in the ground if the commitment to paying CIL is on the entire site over a defined time scale, than if they know they will only be paying

CIL on the parts that they build out, and that further CIL will not become payable until they start to build out further.

I hope you find these thoughts helpful. I will be happy to discuss any aspect of them with you or your team at any convenient moment.

Yours faithfully

A handwritten signature in black ink that reads "Thomas Eggar" followed by a stylized flourish.

**Thomas Eggar LLP**

Email: [nicola.gooch@thomaseggar.com](mailto:nicola.gooch@thomaseggar.com)  
Direct Dial: 01293 742868





**Southdowns National Park Authority  
Community Infrastructure Levy –Draft Charging Schedule**

**Representations on behalf of Comer Homes**

**28 October 2015**

On behalf of Comer Homes we have reviewed South Down National Park Authority's Draft Charging Schedule and associated documents and have some comments as set out below.

Comer Homes owns the former Syngenta site in Fernhurst. The draft charging schedule classifies this site as within Zone 3 where the rate is proposed at £200 per sq. m for residential development.

We are concerned that our previous comments on the Preliminary Draft Charging Schedule have not been taken into account. We remain anxious about the impact the proposed rates in the Draft Charging Schedule will have on developments and that it may render them unviable. Additionally, the NPPF places a strong emphasis on growth but the rates proposed in the Draft Charging Schedule are contrary to this and may in effect curb growth. Our main concerns are set out below.

Regulation 14 of the Community Infrastructure Levy Regulations 2010 (as amended) requires that a charging authority, in setting levy rates, 'must strike an appropriate balance between' the desirability of funding infrastructure from the levy and 'the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area'. Amendments to the CIL Regulations which came into force on 24 February 2014 made an important change to Regulation 14 deleting the words "aim to" and "what appears to the charging authority to be" to strengthen this requirement.

Paragraph 8 of the Community Infrastructure Levy Guidance (December 2012) provides further guidance on what is meant by the appropriate balance and states that:

*'By providing additional infrastructure to support development of an area, the levy is expected to have a positive economic effect on development across an area. In deciding the rate(s) of the levy for inclusion in its draft charging schedule, a key consideration is the balance between securing additional investment for infrastructure to support development and the potential economic effect of imposing the levy upon development across their area.'*

It is imperative that the evidence supporting CIL:

- clearly outlines, and is based on an up to date list of, the key infrastructure projects required to support development (this being the key test of the Regulations);
- outlines an up to date, consistent and well informed evidence base of economic viability in order to test various scenarios against CIL rates.

With regard to the preparation of Charging Schedules and supporting documentation it is important to have due regard to the available Government guidance, notably, the CLG Community Infrastructure Levy – an Overview (May 2011), CLG Community Infrastructure Levy Guidance (December 2012), CLG Community Infrastructure Levy Relief (May 2011), the Planning Act 2008 and the CIL Regulations 2010 (as amended). It is also important that the preparation of CIL is in line with the National Planning Policy Framework (NPPF), notably that it is delivery focused and '*positively prepared*'. Our comments are based on these publications and the Regulations.

Paragraph 17 of the NPPF outlines 12 principles for both plan making and decision taking, notably that planning should "*proactively drive and support sustainable economic growth*". and that plan making should "*take account of market signals such as land prices and housing affordability*". Paragraph 19 states that "*the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth*".

We are concerned about the residential rate proposed for Fernhurst and are concerned that this could make housing developments unviable. There have been no updates to the viability study since our last representations and the Viability Study by Dixon Searle LLP does not provide sufficient justification for a rate of £200 per sq. m. Imposing a CIL charge on residential development in a fragile market makes it less likely that the Council will be able to meet its housing targets going forward. It will essentially make some residential development unviable and is therefore contrary to Regulation 14.

The CIL Guidance states that, at Examination, authorities should '*set out those known site-specific matters where section 106 contributions may continue to be sought*'. Whilst we are aware authorities are not required to produce this information and their Regulation 123 list until the Examination, we would suggest this is done earlier, preferably before the Draft Charging Schedule consultation, to allow more consultation and input from the development industry.

Comer Homes requests to be heard by the CIL examiner in respect of their representations (if and when the CIL draft charging schedule is submitted by the Council for examination). Please ensure we are kept updated on CIL developments and in the meantime do not hesitate to contact me should you have any queries.

# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

### COMPLETE RESPONSE

Response ID #426066. Submitted on 06 Oct 2015 12:32 by 1986  
(Seaford Council)

Response visibility: **ANYONE WHO CAN VIEW RESPONSES.**

#### PUBLIC PROFILE

Name	1986 (Seaford Council)
Email	georgia.raeburn@seafordtowncouncil.gov.uk
Date	06 Oct 2015 12:32
Title	
First Name	Seaford

Company / Organisation (if applicable) 1986

Position / Role (if applicable)

## PRIVATE PROFILE

Address 37 Church Street  
Seaford  
East Sussex

Postcode BN25 1HG

Phone Number 01323894870

Notify me about Local Plan consultations Yes

Notify me about Neighbourhood Plan consultations Yes

## HIDDEN PROFILE

Specific Consultees No

Internal Categorisation ==uncategorized==

Q1

Do you have any comments on the Draft CIL Charging Schedule?

Accept all the information in the Draft CIL Charging Schedule and have no further comment to make.



**Gareth Giles**

---

**From:** [REDACTED]  
**Sent:** 27 October 2015 21:24  
**To:** CIL  
**Subject:** CIL Draft Charging Schedule

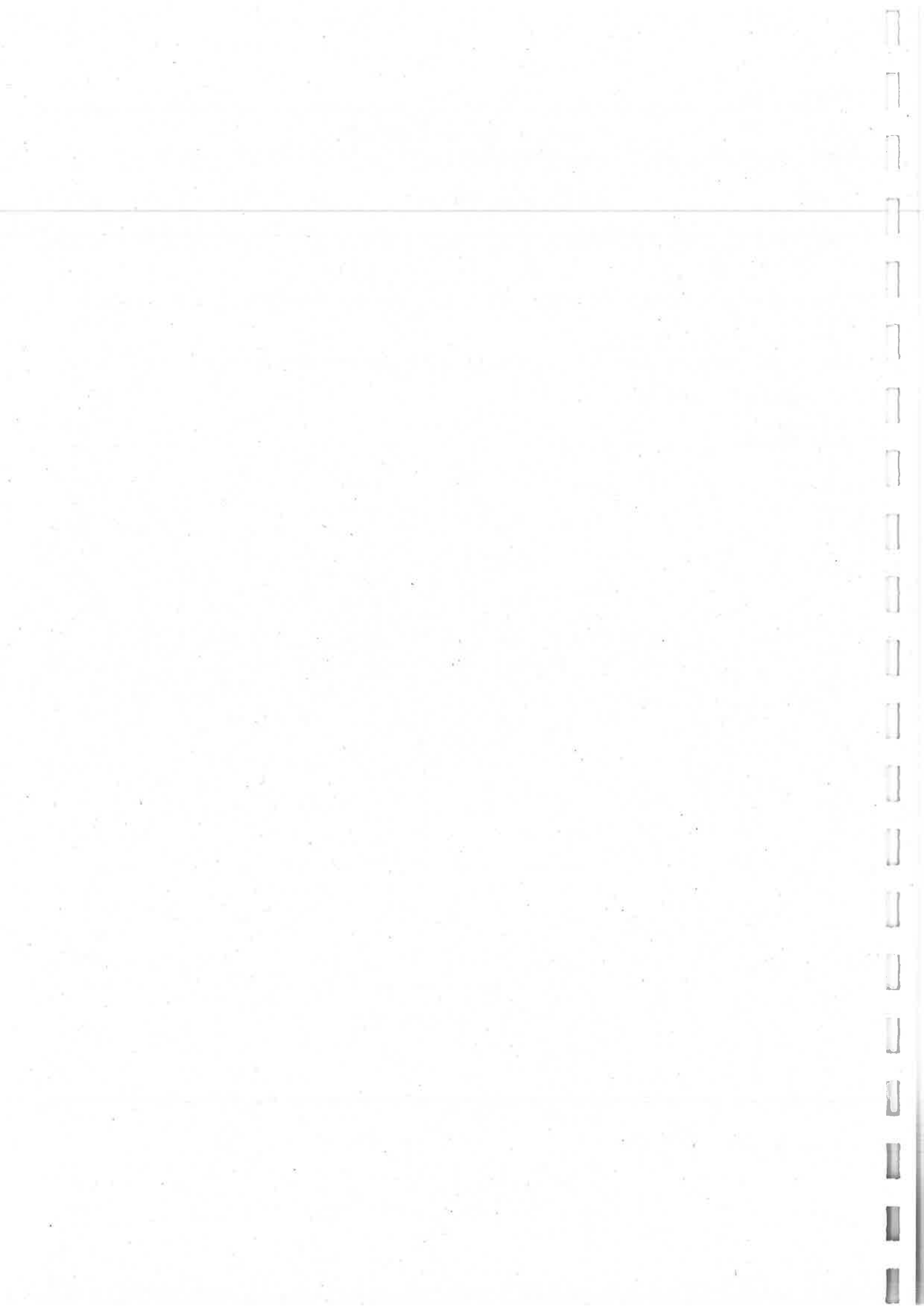
Dear Policy Team,

I have been asked by SELBORNE PARISH COUNCIL to respond on behalf of the Parish Council as follows:

**Selborne Parish Council has concern about the proposed high rate of CIL in rural areas (Zone 3)**

Yours sincerely,

[REDACTED]





## Gareth Giles

---

**From:** Alison Tingley [REDACTED]  
**Sent:** 28 October 2015 18:53  
**To:** PlanningPolicy; CIL  
**Cc:** [REDACTED]  
**Subject:** Local Plan and CIL consultation  
**Attachments:** SDLM Local Plan Comment\_Form.doc; Local plan PART B SDLM continued final.doc

Please find attached the submission form from the South Downs Land Managers on the Local Plan consultation. As the form did not allow additional comments to be made I have attached a second file that contains a duplicate Part B form as a word document in the same lay out as the original. These should be read together as the original contains the Part A information and general comments on the Local Plan.

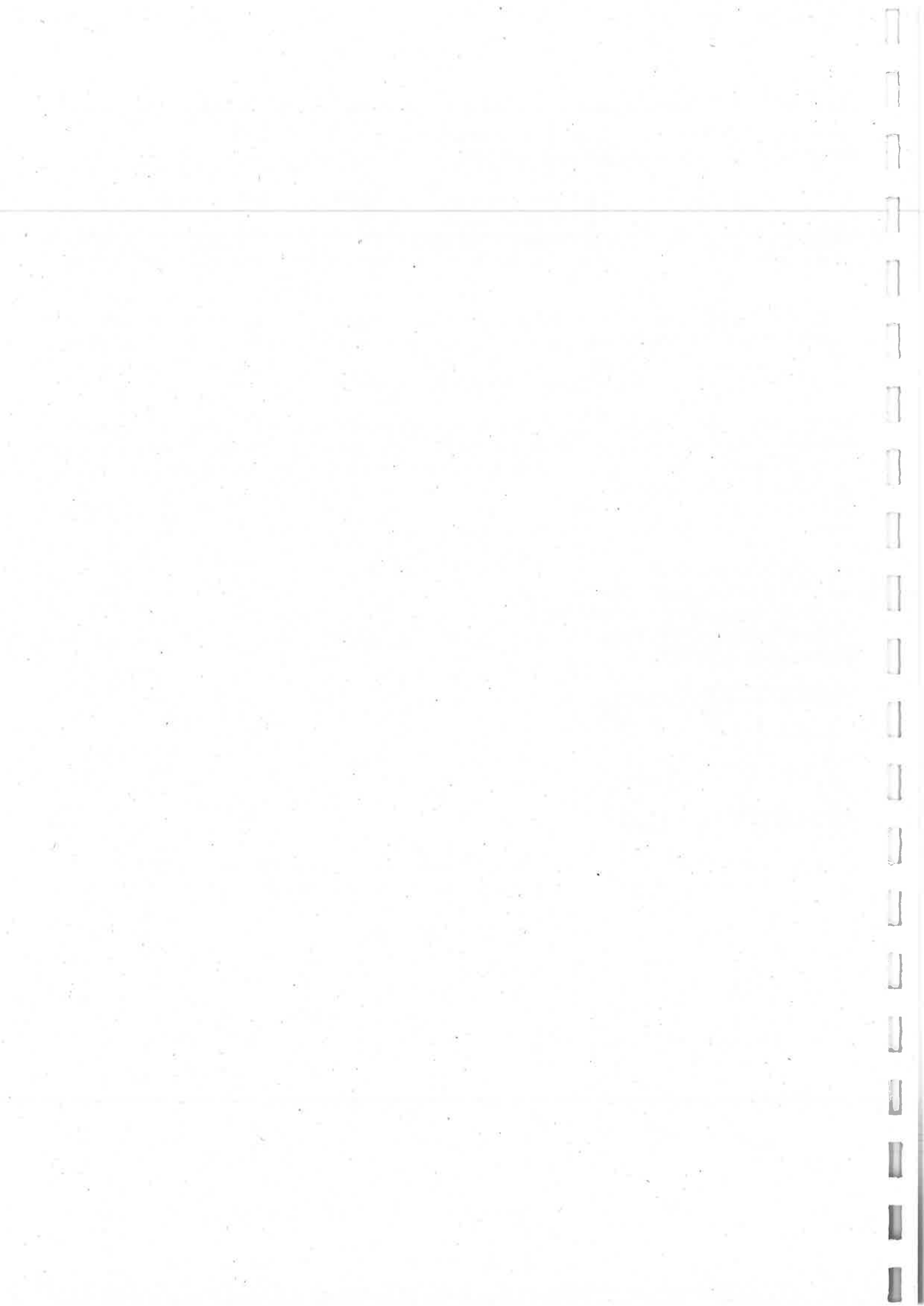
Our only comment with regard to the CIL consultation is that agricultural workers dwellings should be exempt from CIL charges as they are in effect a form of affordable cost housing. Such properties are only justified for agriculture, forestry or other essential rural workers and usually have some form of occupancy restriction, which already has a negative impact on the retail value.

Regards  
Alison

Alison Tingley, Liaison Officer  
South Downs Land Managers Group  
Phone: 01962 711389 Mobile: 07582070348  
Email: [sdlmg@southdownsland.com](mailto:sdlmg@southdownsland.com)  
[www.southdownsland.com](http://www.southdownsland.com)



*Thank you for your membership of SDLMG; simply having your support as a member helps us to speak to the National Park Authority more effectively on behalf of all farmers and landowners in the South Downs.*





Ms. Lucy Howard  
Planning Policy Manager  
South Downs Centre  
North Street  
Midhurst  
West Sussex  
GU29 9DH

Your Ref:

Our Ref:

Date:  
27<sup>th</sup> October 2015

Contact:

Fax:

Dear Ms. Howard,

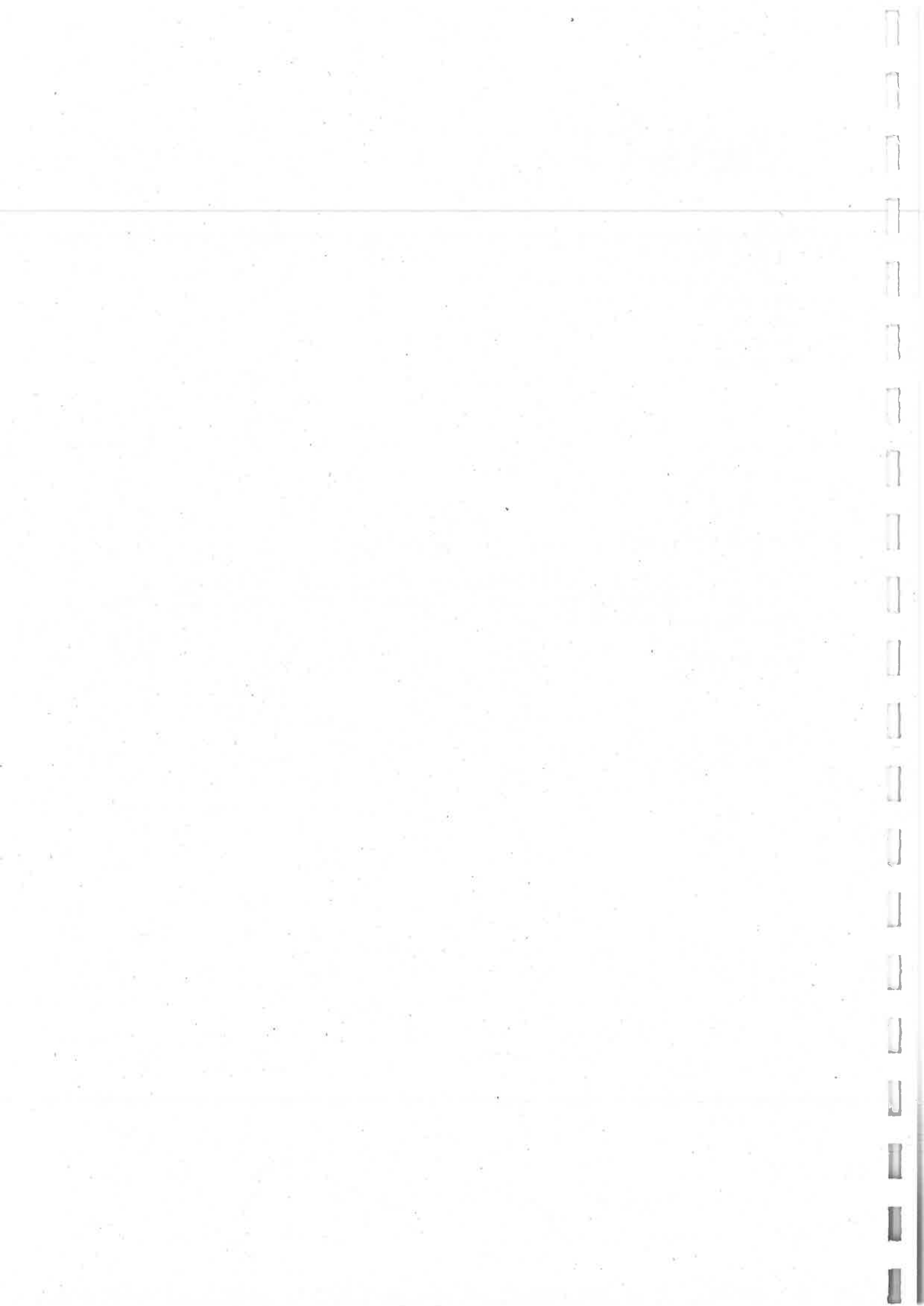
**Community Infrastructure Levy: Draft Charging Schedule**

Thank you for consulting us on the Community Infrastructure Levy (CIL) Draft Charging Schedule. At this stage, we have no comments but would be grateful if you could keep us informed of the progress that is made.

Yours sincerely,

[Redacted signature]

Clare Gibbons  
Development Manager



# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

### INCOMPLETE RESPONSE

Response ID #431762. Submitted on 28 Oct 2015 10:09 by Sussex  
Wildlife Trust (Jess Price)

Response visibility: UNKNOWN.

#### PUBLIC PROFILE

Name	Sussex Wildlife Trust (Jess Price)
Email	jessprice@sussexwt.org.uk
Date	28 Oct 2015 10:09
Title	
First Name	Jess

Company / Organisation (if applicable) Sussex Wildlife Trust  
Position / Role (if applicable)

## PRIVATE PROFILE

Address	Sussex Wildlife Trust Woods Mill Henfield
Postcode	BN5 9SD
Phone Number	01273 497511
Notify me about Local Plan consultations	Yes
Notify me about Neighbourhood Plan consultations	Yes

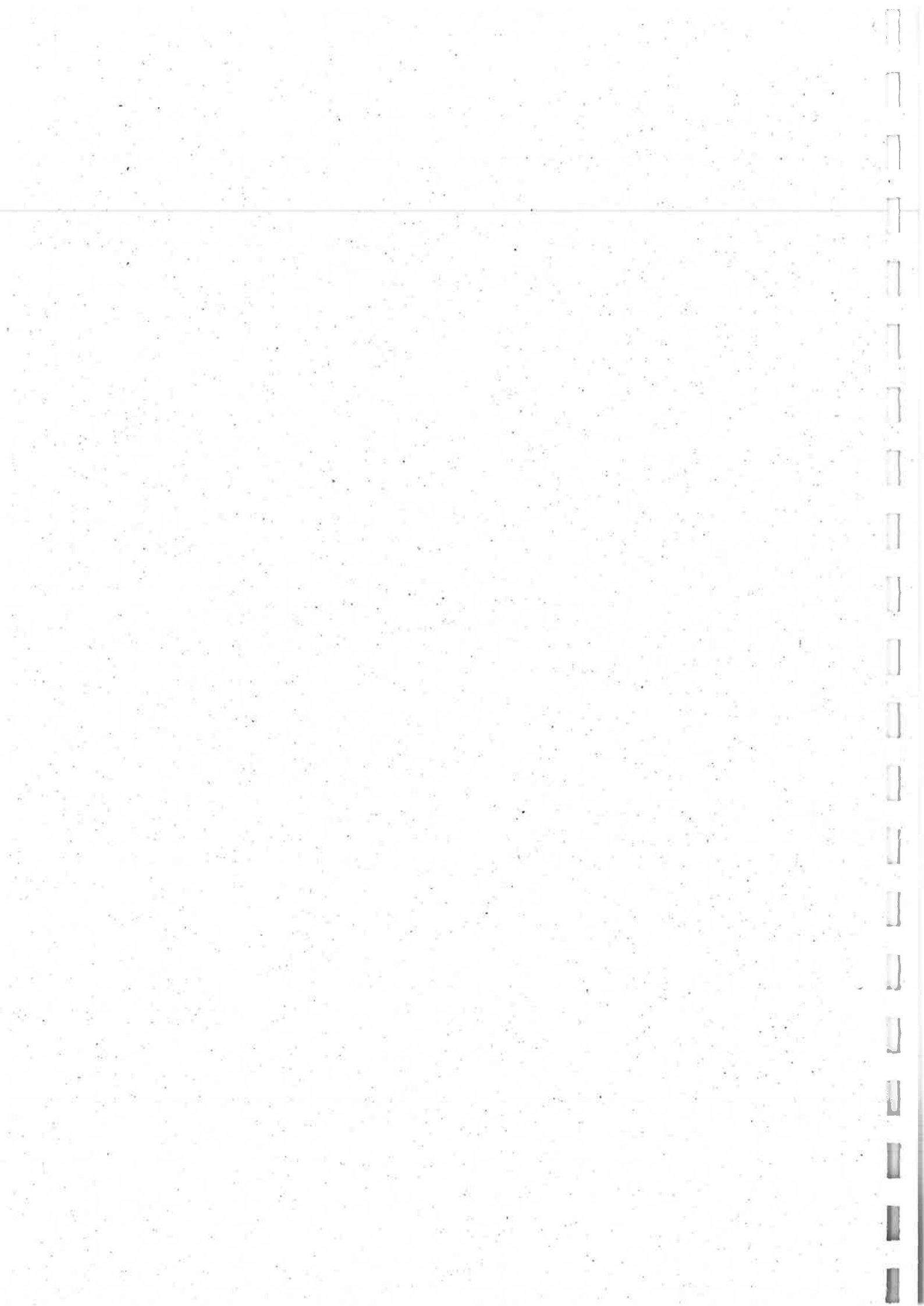
## HIDDEN PROFILE

Specific Consultees	No
Internal Categorisation	==uncategorized==

Q1

Do you have any comments on the Draft CIL Charging Schedule?

«No response»





# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

### INCOMPLETE RESPONSE

Response ID #414853. Submitted on 04 Sep 2015 11:02 by Sustrans  
(Sustainable Transport chris sprules)

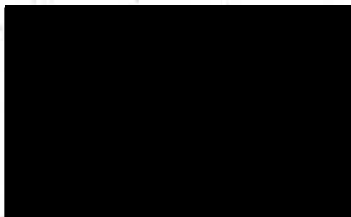
Response visibility: UNKNOWN.

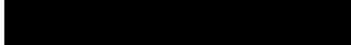
#### PUBLIC PROFILE

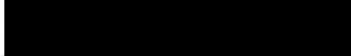
Name	Sustrans (Sustainable Transport [REDACTED]) [REDACTED]
Email	[REDACTED]
Date	04 Sep 2015 11:02
Title	Sustainable Transport
First Name	[REDACTED]

Company / Organisation (if applicable)	Sustrans
Position / Role (if applicable)	Group Coordinator

PRIVATE PROFILE

Address 

Postcode 

Phone Number 

Notify me about Local Plan consultations  Yes

Notify me about Neighbourhood Plan consultations  Yes

HIDDEN PROFILE

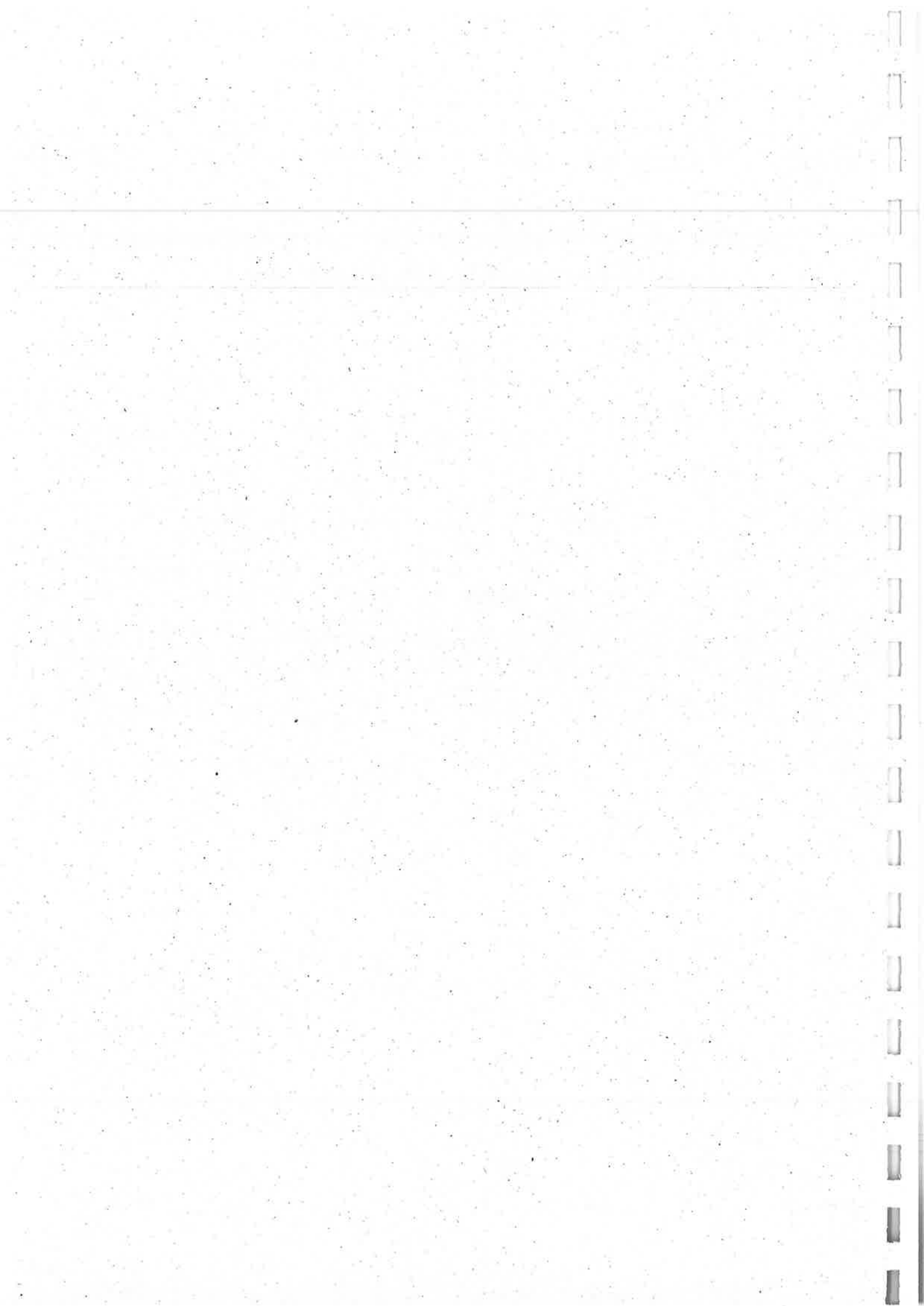
Specific Consultees  No

Internal Categorisation ==uncategorized==

Q1

Do you have any comments on the Draft CIL Charging Schedule?

No comment



# COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

## VIEW RESPONSE

Answers to COMMUNITY INFRASTRUCTURE LEVY DRAFT  
CHARGING SCHEDULE

### COMPLETE RESPONSE

Response ID #431236. Submitted on 25 Oct 2015 16:40 by T n Luff &  
partners (Mrs Deborah Luff)

Response visibility: ANYONE WHO CAN VIEW RESPONSES.

#### PUBLIC PROFILE

Name

T n Luff & partners [REDACTED]

Email

Date

25 Oct 2015 16:40

Title

First Name

[REDACTED]

Company / Organisation (if applicable) T n Luff & partners

Position / Role (if applicable) Partner

## PRIVATE PROFILE

Address

Postcode

Phone Number

Notify me about Local Plan consultations Yes

Notify me about Neighbourhood Plan consultations No

## HIDDEN PROFILE

Specific Consultees No

Internal Categorisation ==uncategorized==

Q1

Do you have any comments on the Draft CIL Charging Schedule?

We are proposing to build holiday accommodation to support our farm business. Raising capital for the project will mean incurring debt. The CIL will therefore add to this indebtedness which may be difficult for us as a very small family run business to raise. In other words a bank loan may not be given by our bank in this instance.

my husbands family have lived in this community for over one hundred years and have already made a huge contribution to the local community both through personal service and taxes. We hope to do so for many years to come by building holiday accommodation to help sustain our Farm Business.





**Gareth Giles**

---

**From:** John Sneddon [REDACTED]  
**Sent:** 28 October 2015 16:54  
**To:** CIL  
**Subject:** COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

Please take this email as a response to the consultation.

The charging schedule in para 12 says that charges apply to "Residential". This should be better defined as C3 residential and should specifically exclude C1, C2, C2A developments.

The charging schedule should be precise and not subject to interpretation or confusion.

Regards

John Sneddon  
Managing Director  
TETLOW KING PLANNING  
Unit 2, Eclipse Office Park, High Street, Staple Hill, Bristol BS16 5EL

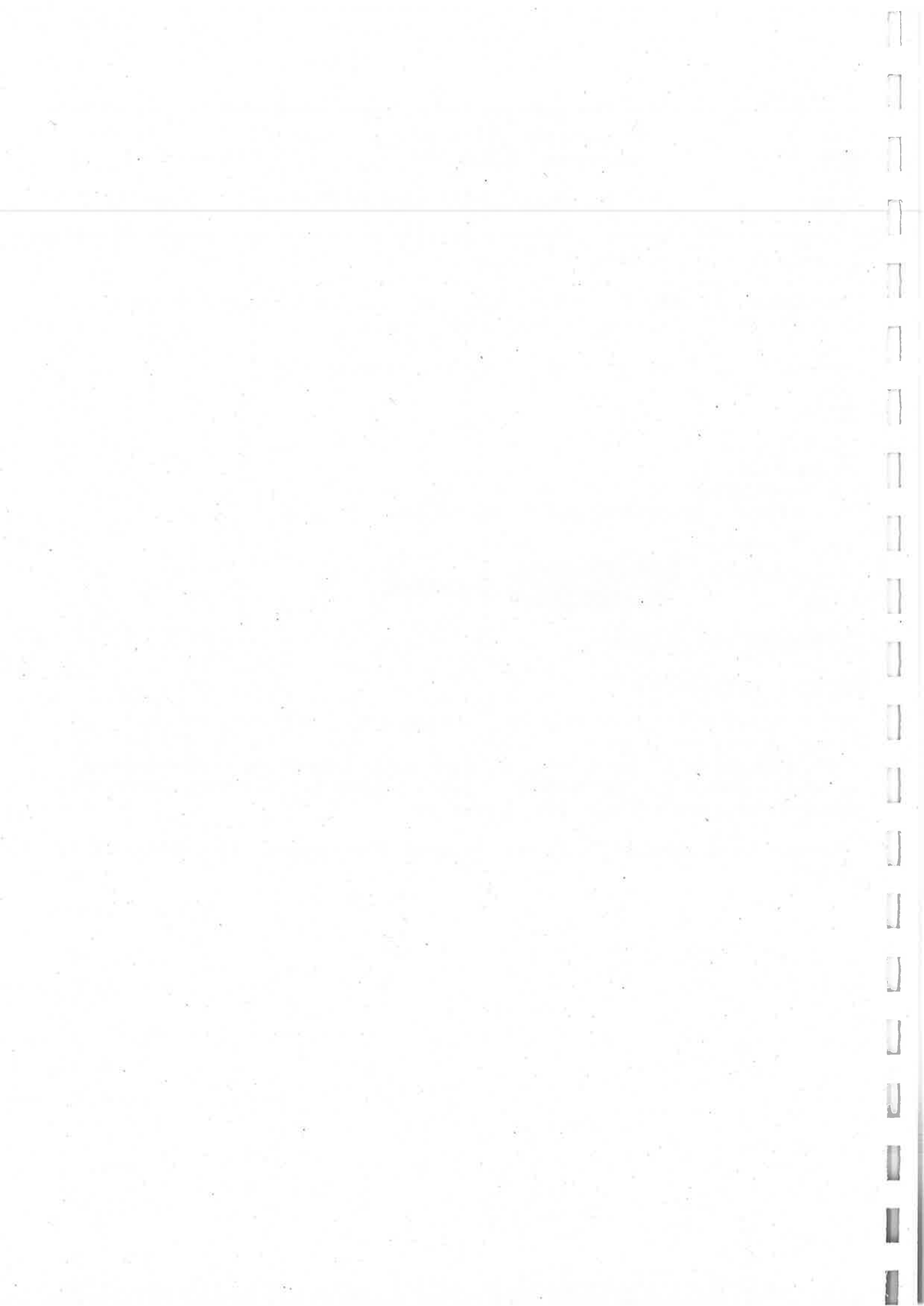


Website: [www.tetlow-king.co.uk](http://www.tetlow-king.co.uk)

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8 October 2015

savills

Planning Policy Project Manager

Sent by email to: [CIL@southdowns.gov.uk](mailto:CIL@southdowns.gov.uk)

David Wilson

Gr

savills.com

Dear Sir/Madam

**SOUTH DOWNS NATIONAL PARK CIL – DRAFT CHARGING SCHEDULE CONSULTATION - COMMENTS ON BEHALF OF THAMES WATER**

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

Thames Water are the statutory sewerage undertaker for a small part of the northern area of the National Park and are hence a **"specific consultation body"** in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments on the CIL Draft Charging Schedule on behalf of Thames Water:

Thames Water provide essential water and wastewater infrastructure in order to support growth and deliver environmental improvements. That infrastructure provision can incorporate the provision of buildings such as a new sewage pumping station or a new sewage treatment building for example. The nature of such infrastructure buildings means that there is no impact on other forms of infrastructure requirements such as schools, open space and libraries. Thames Water therefore consider that water and wastewater infrastructure buildings should be exempt from payment of the Community Infrastructure Levy and this appears to be the case in the draft schedule where "All other development" has a Nil charge which is supported by Thames Water.

The Council may however wish to consider using CIL contributions for enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers, for example by providing greater levels of protection for surface water flooding schemes. Sewerage undertakers are currently only funded to a circa 1:30 flood event.

We trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

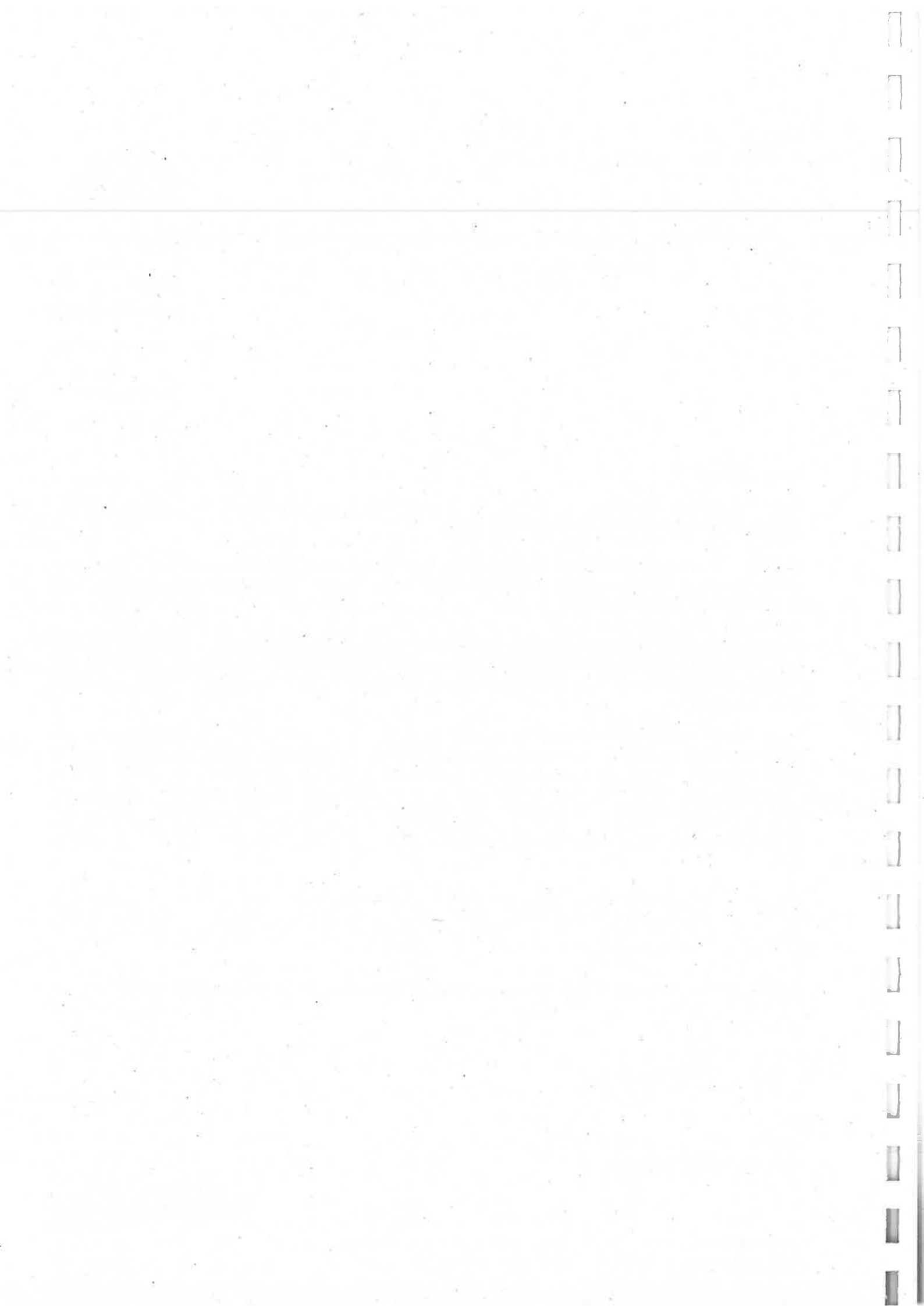
Yours faithfully

David Wilson BA (Hons), BTP, MRTPI  
Associate Director Planning

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Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Registered office: 33 Margaret Street, London, W1G 0JD



## **South Downs National Park - CIL Draft Charging Schedule Consultation: West Sussex County Council officer comments**

The South Downs National Park Authority (SDNPA) is preparing to introduce a Community Infrastructure Levy (CIL), which will allow funds to be raised from developers to pay for infrastructure that is needed as a result of development. The monies collected will be used to help fund a range of infrastructure including projects that will support the provision of county council services. When a charging authority introduces CIL, section 106 requirements will be scaled back to those matters that are directly related to a specific site.

### **Community Infrastructure Levy Draft Charging Schedule**

The SDNPA has prepared a Draft Charging Schedule, which sets out the proposed charges for the CIL across the Park. This is the final stage of stakeholder engagement before the SDNPA submits the Draft Charging Schedule for examination. The County Council is working with the SDNPA to identify infrastructure requirements to support development identified in the Local Plan.

At this stage there is no published Regulation 123 list, which would set out the infrastructure types and examples of projects that may be wholly or partly funded by the CIL. It is understood that this will be published when the Charging Schedule is submitted. The County Council will work with the SDNPA to develop the draft Regulation 123 list to ensure that the funding mechanisms for the delivery of key infrastructure are clearly identified.

The County Council is preparing a draft South Downs Strategic Infrastructure Package (SIP) is to set out the improvements required to enable the provision of county council services to meet the needs of new development in the areas of the Park that are located within West Sussex. The draft South Downs SIP will inform future updates to the Infrastructure Delivery Plan (IDP), the draft Regulation 123 list and future decisions on investment in infrastructure.

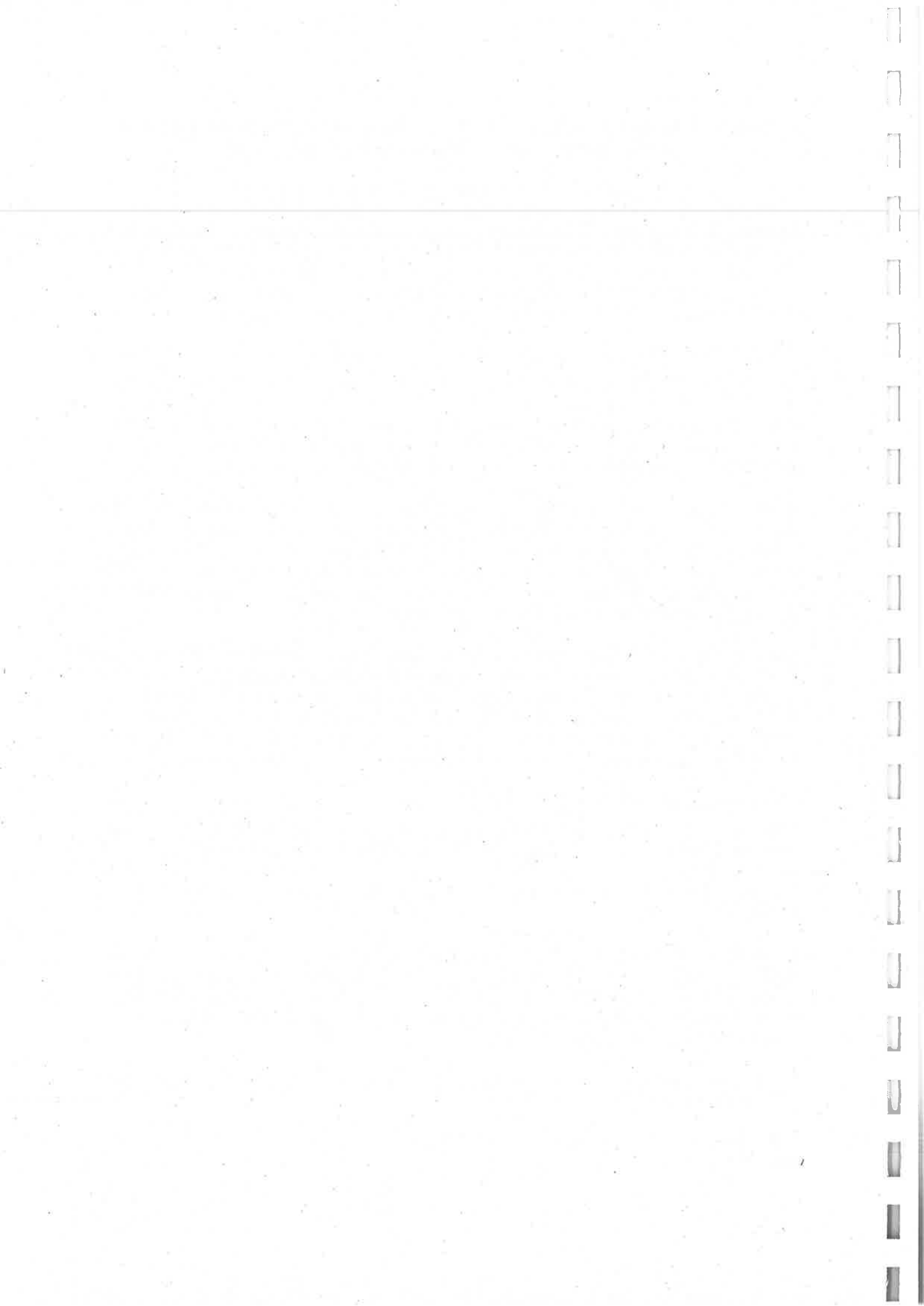
### **Infrastructure Delivery Plan (IDP)**

The South Downs National Park Infrastructure Delivery Plan (IDP) highlights that with the anticipated CIL receipts of around £28m, there is still likely to be an estimated infrastructure funding gap of over £40m. It is unclear as to whether any West Sussex County Council infrastructure requirements have been included in this estimation.

In order to manage the shortfall, the County Council will work with the SDNPA to develop a methodology for the prioritisation of infrastructure. In considering the processes required to support the allocation of CIL funds, the County Council is keen to ensure that there is an appropriate level of local member involvement in the decision-making process.

24: It would be useful to have an example of what is meant by 'Strategic Scale' infrastructure.

West Sussex County Council  
28th October 2015



## Gareth Giles

---

**From:** Ellie Henderson <elliehenderson@woodlandtrust.org.uk>  
**Sent:** 28 October 2015 13:08  
**To:** CIL  
**Subject:** Consultation response - CIL

Dear Sir/Madam,

I am unable to find your Draft Regulation 123 list. However I do not want to miss the opportunity to comment on this aspect. So I hope my comments can be taken into consideration:

We would like to see tree planting and woodland creation on the Regulation 123 list.

The UK is one of the least wooded areas of Europe, with just 11.8% woodland cover compared to around 44% for Europe as a whole. The Woodland Trust believes that woodland creation is especially important because of the unique ability of woodland to deliver across a wide range of benefits – see our publication *Woodland Creation – why it matters* (<http://www.woodlandtrust.org.uk/en/about-us/publications/Pages/ours.aspx>). These include for both landscape and biodiversity (helping habitats become more robust to adapt to climate change, buffering and extending fragmented ancient woodland), for quality of life and climate change (amenity & recreation, public health, flood amelioration, urban cooling) and for the local economy (timber and woodfuel markets).

**External references:** Government response to Independent Panel on Forestry Report (January 2013): Woodland creation also forms a significant element in the conclusions of the Government's Independent Panel on Forestry, which states (page 30): "We want to see a significant increase in forest and woodland cover in England, generating a range of public benefits. Our vision is of a landscape more richly endowed with trees, small woods, copses, hedges, larger woods and forests."  
"Ensure woodland creation, tree planting and maintenance is part of the green space plan for new commercial and housing development."

It also recommends: "Government to commit to an ambition to sustainably increase England's woodland cover from 10% to 15% by 2060, working with other landowners to create a more wooded landscape."

The panel report emphasises the value of local authorities setting woodland creation targets:

"New Local Plans are the opportunity for communities to have more tree cover in their local area. More local authorities could follow the example of Sefton Borough who are increasing their tree cover, and the Greater London Authority who have a target to increase tree cover from 20% today, to 25% by 2025, and a further 5% by 2050."

An important publication from the Forestry Commission, *The Case for Trees in development and the urban environment* (Forestry Commission, July 2010), sets out 'The multiple value of trees for people and places – increasing greenspace and tree numbers is likely to remain one of the most effective tools for making urban areas more convivial', and lists (on p.10) the benefits as –

- Climate change contributions - Environment advantages - Economic dividends - Social benefits.

This report can be found here: <http://www.forestry.gov.uk/forestry/infd-88nfn2>

Please confirm receipt of my email and do not hesitate to contact me if you have any queries.

Many thanks. Kind regards,

Ellie

**Ellie Henderson**  
Government Affairs Officer - Local

t: 0343 770 5798 | m: 07500 606 411  
e: [elliehenderson@woodlandtrust.org.uk](mailto:elliehenderson@woodlandtrust.org.uk)

The Woodland Trust, Kempton Way, Grantham, Lincolnshire, NG31 6LL  
t: 01476 581 111  
w: [woodlandtrust.org.uk](http://woodlandtrust.org.uk)



WOODLAND  
TRUST

*life's better with trees*

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