



Community Infrastructure Levy - Preliminary Draft Charging Schedule

The Preliminary Draft Charging Schedule is subject to public consultation from Wednesday 21 May until Wednesday 2 July 2014. The Council invites comments on the details contained within the consultation document; those making representations are encouraged to do so by using this form.

Contact Details:

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Q1: Taking into account the viability evidence used to inform the Preliminary Draft Charging Schedule do you consider the proposed rates to be correct? If you disagree, please provide evidence to support your view.

We have reviewed the Community Infrastructure Levy Viability Study prepared by Peter Brett Associates ("PBA") dated May 2014. We agree with the basis of calculating the inputs to the residential development appraisals and note PBA's comments that the appraisals can only provide generic views on scheme viability and are subject to a margin of uncertainty (paragraph 4.1.4). In paragraph 4.2.4 PBA state that "it is important to bear in mind that these calculations are no more than approximations surrounded by margins of uncertainty but are based on best available evidence and judgement." We agree with this statement and the implied conclusion that scheme viability must ultimately be considered having regard to the specific circumstances of the scheme at the time at which the particular scheme comes forward as a planning application. Whilst a broad-brush viability testing report such as that published by PBA provides a useful guide to scheme viability in general, it cannot determine absolute viability of specific schemes. Therefore whilst the CIL rates suggested as viable within the PBA report are supported by the appraisal assumption used, it must be noted that this evidence is not comprehensive and not scheme specific and therefore the viability of actual schemes to be delivered within Suffolk Coastal may be such that full policy compliant levels of CIL and other planning gain are not deliverable. The Planning Authority will need to recognise and accept this as take account of this when considering planning applications and levels of affordable housing and planning gain for each site as they come forward. In our view, the most significant factor likely to cause non-viability at the levels of CIL and other planning gain proposed by PBA is the impact of individual site abnormalities which can be significant, whether on brownfield or greenfield sites. The level and scope of abnormal costs in schemes will only become apparent as the schemes come forward to be considered for planning, and their presence will reduce the viability of schemes from the levels shown in the PBA report. This will therefore mean that the levels of CIL, affordable housing and planning gain identified as deliverable in the PBA report may not ultimately be deliverable on every scheme.

We note that following the consultation ending, the Council will look to revise the Charging Schedule accordingly and undertake a further period of public consultation expected in the Autumn 2014, before subsequent submission to the Planning Inspectorate and Examination in winter 2014/15. In light of this context, we reserve the right to comment further on the specific proposed rates of CIL across the various land uses and development types.

Q2: Do the proposed rates based on viability and infrastructure evidence in the Preliminary Draft Charging Schedule strike the appropriate balance between the collecting of CIL and the potential effects of the imposition of CIL on economic viability across the district? If you disagree please provide evidence to support your view?

The study carried out by PBA identifies a mix of affordable housing, Section 106 and CIL payments that in their view is sustainable and in line with the Council's policy position. In reality, as schemes come forward, they will have specific and peculiar viability circumstances and the overall levels planning gain must be adjusted to take account of this. If CIL is adopted by a Local Authority, it must be applied to every chargeable development. Therefore, the CIL has first call on the planning obligation pot, before delivery of other planning obligations including affordable housing can be considered. In the event, therefore, that abnormal costs (which are not considered by PBA's report) cause a site to be unviable, whilst it may be able to deliver CIL payments in line with the requirements of the Charging Schedule, it will certainly not be able to deliver Section 106 and affordable housing planning gain mitigation, which could be considered as a failure to strike an appropriate balance between competing planning gain priorities. The Council should recognise that in adopting CIL, they create an inability to determine for themselves an appropriate balance of development mitigation in the event that a scheme cannot deliver planning gain at the target set out in their policy.

The Council will be aware of the importance of maintaining sufficient housing supply against the adopted Core strategy target, that should be the absolute minimum when taking account of the Inspector's Report.

An unrealistic CIL rate risks viability of sites and will slow or prevent the delivery of the housing/planning objectives for the District, which the Council is already struggling to achieve.

Ultimately the eventual CIL rate must ensure that the plan remains deliverable, with the scale of development identified within the plan not subject to such a scale of obligations and policy burdens that the ability to develop sites viably is threatened (para.173, NPPF).

Q3: Do you have any comments on the boundaries identified for residential development across the district?

Q4: Do you have any comments on the site size thresholds identified and the different charges within the Preliminary Draft Charging Schedule?

Q5: Do you have any comments on the charges associated with retail developments?

Q6: Do you agree with the zero charge associated with Adaystral Park?

Q7: Do you agree with the zero charge associated with all other uses?

**Q8: Do you have any other comments on the Preliminary Draft Charging Schedule?
If so please identify the paragraph your comments relate to?**

Thank you for your comments. Please return this form to Planning Policy and Delivery Team, Suffolk Coastal District Council, Melton Hill, Woodbridge, IP12 1AU or alternatively via email to development.policy@suffolkcoastal.gov.uk before the consultation closes on Wednesday 2 July at 17.00.

Data Protection Statement: The information you have supplied may be processed by computer or form the basis of manual records. Suffolk Coastal District Council will use the data for purposes relevant to the preparation of the Local Plan under The Town and Country Planning (Local Planning) (England) Regulations 2012 and for no other purpose.