

EBD.16



Community Infrastructure Levy
Preliminary Draft Charging Schedule

Summary of Consultation Responses

Stratford-on-Avon District Council

July 2014

Community Infrastructure Levy - Preliminary Draft Charging Schedule

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The Council produced the Community Infrastructure Levy Preliminary Draft Charging Schedule (PDCS) in October 2013.

A rate of £150 per square metre was proposed for residential development across the district, in all locations apart from three potential strategic sites where the proposed rates were £100 per square metre (at Gaydon/Lighthorne Heath), and £60 per square metre (at Long Marston and South East Stratford). A rate of £120 per square metre was also proposed on retail development across the district. The viability evidence behind these rates was presented in a study by Peter Brett Associates, Economic Viability Study, October 2013.

This document presents a summary of the comments made in consultation (31 October to 13 December 2013), together with the Council's response. The consultation responses are available on the website at www.stratford.gov.uk/cil2013

NB. There are consultation responses listed in the following table under Savills UK Ltd (for a no. of house builders). Savills UK are representing: Barratt Homes, David Wilson Homes, Bloor Homes, CALA Homes, Redrow Homes and Taylor Wimpy West Midlands.

Community Infrastructure Levy (CIL) Report on Consultation on the Preliminary Draft Charging Schedule

Respondent	Summary of Consultation Response by Question	SDC Response
Question 1: Do you agree that the Council should continue to use planning obligations as the principal way of funding infrastructure on strategic sites?		
Savills UK Ltd (for a no. of house builders)	The Consortium and Savills agrees with funding infrastructure on strategic sites by S106 but considers the viability assessments have underestimated these costs (see Detailed Comments on Viability Evidence below).	Noted.
Bidford-on-Avon Parish Council	The Council should continue to use the current S106 agreement as the principal way to fund the major infrastructure, but CIL should play a major role.	Noted. The Council have set out what infrastructure will be funded through CIL in their draft Regulation 123 list.
The Stratford Society	Infrastructure is not only funded via S106 but also through other enabling powers. There should be no change in the ability to use these powers.	Agreed. Other funding sources for infrastructure will continue to be explored as and when they become available.
Mr T Shilvock	Large strategic sites should fund extra infrastructure needed to support development.	The strategic sites will mitigate their own impacts through section 106/278 and payment of CIL.
The Highways Agency	It is critical that, where the delivery of new highways infrastructure has been identified as a requirement in order to make a development acceptable in planning terms, then it will be a pre-requisite to that development being implemented.	Noted.
Stratford Town Trust	Strategic sites should fully support their own infrastructure requirements and funds should not be diverted to those sites which would otherwise contribute toward the provision of infrastructure, services and facilities in other parts of the District.	The strategic sites will mitigate their own impacts through section 106/278 and payment of CIL.
Stratford Town Trust	In addition to meeting their own infrastructure the strategic sites should bear a fair rate of CIL.	The strategic sites will mitigate their own impacts through section 106/278 and payment of CIL.

Warwickshire Police	Yes, but only because the Government has confirmed that the date from when further limitations on the use of pooled contributions will apply has moved to April 2015 thus securing the delivery of infrastructure necessary to mitigate the cumulative impacts of multiple development sites.	Noted
Commercial Estates Group	Our preference is to deliver strategic site infrastructure through Section 106/Section 278 agreements. This process provides much greater certainty that critical on-site infrastructure, such as schools and community facilities is actually delivered.	The Council agree that where items are related to direct mitigation of impact and where they don't lead to any potential for double dipping (i.e CIL and S106 paying for the same infrastructure) then S106 is the preferred approach for large sites.
Commercial Estates Group	Our concern with the Council's approach is that it appears to be introducing a relatively high CIL and an expectation that considerable infrastructure will be delivered through Section 106/Section 278 agreements. The implication of the above is that the collection of CIL, once set, is non-negotiable and a legal requirement.	The Council has undertaken further work on specific S106 requirements to take into account when setting CIL.
Commercial Estates Group	In the event that the viability assumptions established in the PBA report are not realised, CIL will have to be collected (it would be a legal requirement) but other more critical site specific infrastructure such as schools and community facilities, may not be affordable when negotiated through the Section 106 route etc.	Noted.
West Midlands HARP Planning Consortium	The Council should consider all options to effectively deliver infrastructure on strategic sites.	Noted.
Warwickshire County Council	Yes. These would ensure that the developments are not reliant on CIL contributions and the supporting infrastructure can be delivered in a timely way and linked to the development of the site.	Noted.
Sport England	CIL will allow developers' certainty on what contributions will be required when considering developing strategic sites.	Noted.
County Land & Business Assoc.	No, planning obligations should be encompassed in CIL and S106 and S278 agreement be limited to a maximum of 5 obligations in line with other Councils adopted CIL.	The Council will work in accordance with the Regulations.

Gaydon Parish Council	There are no alternatives provided, so in order to raise funds for infrastructure, there is little choice. It would be helpful to provide indications on the sources & amounts raised for infrastructure funding.	The information is within the Infrastructure Delivery Plan.
Stratford-on-Avon Town Council	Planning obligations are the principal funding source for infrastructure but do not lose sight of Government initiatives.	Not necessarily, CIL will make also make a contribution once in operation.
Stratford-on-Avon Town Council	There is a concern that Affordable Housing is eliminated from CIL and can only be funded from S106 agreements it will be difficult to meet the needs of the 'working poor'.	CIL rates have been tested alongside affordable housing proportions to ensure that both are viable. The Council are not permitted (by the regulations) to fund affordable housing through CIL. However if the town Council are concerned with the provision of affordable housing they are permitted to use their neighbourhood portion of funding for affordable housing.
<p>Question 2: Do you consider that there is sufficient and appropriate general evidence on infrastructure to underpin the Preliminary Draft Charging Schedule?</p>		
Savills UK Ltd (for a no. of house builders)	There is insufficient clarity on the infrastructure to be provided through CIL. The Regulation 123 List is required.	The Regulation 123 List will be made available with the Draft Charging Schedule.
Gladman Developments	There is a need to show infrastructure requirements and the funding gap. CIL should not be used as a mechanism for creating a wish list of projects. The Council should show other income streams e.g. New Homes Bonus, Council tax and business rates arising from new developments in the plan, as well as Government funding streams. It is inappropriate to set the levy based on a partial understanding of infrastructure costs.	Noted, however, in accordance with the regulations, the levy is being set based on viability assumptions rather than infrastructure costs.
The Highways Agency	Whilst the transport assessment provides a robust basis for the preparation of a draft 123 list, it must be acknowledged that the schemes and scheme costs identified at present are 'broad brush' and that there is only partial understanding of the impacts of future development and the associated costs of any requisite mitigation.	Noted.

Warwickshire Police	Warwickshire Police considers that there is sufficient and appropriate general evidence on infrastructure to underpin the Preliminary Draft Charging Schedule.	Noted.
County Land & Business Assoc.	CIL rates proposed in all other areas are proposed being 150% more than those of the strategic sites. Future development in rural areas will not happen if large CIL payments are in place. The average 120 square metre dwelling will have a CIL charge of £18,000 which is extortionate and not in line with other Councils in similar rural areas.	Rates are set according to viability. Comparison with other areas is not a helpful discussion as the policy position and values will vary.
Stratford-on-Avon Town Council	The level of information in the Draft Infrastructure Delivery Plan is very superficial and lacks details in terms of costing and the proportions to be met by the various public and private delivery bodies.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Stratford-on-Avon Town Council	The draft Plan lacks any justification for the projects included in the schedule and the priorities to be given to their implementation. All projects to be listed in the schedule should be reasonable, realistic and fully justified in terms of meeting identified community needs.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Commercial Estates Group	The Draft Infrastructure Delivery Plan (IDP) does set out the range of infrastructure needed to broadly deliver the Plan but it is not made clear precisely or even approximately what will be delivered by Section 106 or other funding streams and the consequential need for 'gap' funding to be delivered by CIL.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Commercial Estates Group	There appears to be no correlation between the Preliminary Draft Charging Schedule and the Draft IDP.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Kineton Parish Council	Do not agree and will be unable to do so until evidence is provided on the following: Para 1.1 These rates would apply only where the location is selected as a site for a new settlement or sustainable urban extension, not to piecemeal development in these locations. Para 1.3 Infrastructure providers have been consulted Para 2.1 - work has identified the broad infrastructure items and costs associated with supporting major growth in these locations.	CIL rates will apply all development, but will vary according to use and location. Infrastructure providers have been consulted in respect of the Core Strategy and the IDP. Work has been undertaken on broad infrastructure items and costs for the strategic sites.

St Modwen, Orbit Group, Redrow Homes	We have a number of concerns about the appropriateness of the infrastructure planning evidence accompanying the PDCS. Fundamentally, it has not been demonstrated through the evidence that there is an infrastructure funding gap. Furthermore, if there was a funding gap, without having an appreciation of the scale of this gap it is not clear whether the likely revenues that could be raised by future development through the levy would exceed this gap.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Federation of Small Businesses	Prior to the introduction of CIL, small developments rarely paid Section 106 developer contributions. CIL is essentially a new tax on these developments at a time when the need to build more new housing is one of the biggest challenges facing SDC. We believe that rates should reflect the real variations in viability by use, size and location of development across the local authority area. A flat rate charge on all development in one use class across an area is likely to be highly damaging to small businesses.	Rates are based on viability including for small developments. The Council is required to ensure that the majority of planned development is not put at risk by the levy.
Federation of Small Businesses	There is currently no requirement for Councils to spend CIL funding on infrastructure in the neighbourhood where it was raised. CIL funding can be switched to fund or maintain infrastructure anywhere in the Council area. This undermines and weakens the relationship between the impact and the benefit of a new development. The FSB calls on all local authorities to ensure that there is a link between the development paying CIL and the infrastructure it funds.	Whilst it is true that the Council is not obligated to spend money on infrastructure in the area where the CIL money has been generated the reality is that in many circumstances this will happen as it is likely that the same location has the infrastructure need. It should also be noted that a portion of the CIL receipt is given to the local town or parish Council in which the receipt is collected for them to spend on local projects.
Sport England	The current playing pitch strategy is coming to the end of its life in 2014. Given recent housing planning permissions there is a question over the robustness of the current document. Sport England encourages a review of the playing pitch strategy to ensure there are adequate sports facilities to meet proposed new housing levels.	The Open Space Needs Assessment is currently under review and will inform on-going work on the IDP.

West Midlands HARP Planning Consortium	It is difficult to assess the Preliminary Draft Charging Schedule when all of the information is not made available. We are of the opinion the evidence is not sufficient.	Noted.
Warwickshire County Council	The County Council is a major provider of services. It has worked to identify the resultant impacts and increased needs of those services. Both Councils need to develop strong relationships of governance in managing the resultant impacts on the District Council.	Agreed.
Canal and River Trust	The Preliminary Draft Charging Schedule 2013 does not have any specific references to the canal infrastructure but there are references to Transport Infrastructure and Green Infrastructure. The schedule states that costs relating to the strategic development within the District should be secured through S106 and S278 agreements. On the basis that planning obligations and CIL could both be a source of funding for canal infrastructure, clarification is required as to which projects relating to the canals are proposed to be secured by s106 planning obligation and which by CIL.	Noted.
Stratford Town Trust	Unable to comment in detail on this matter but considers that the level of information in the Draft Infrastructure Delivery Plan is very superficial and lacks detail in terms of costings and the proportions to be met by the various public and private delivery bodies. Furthermore the draft Plan lacks any justification for the projects included in the schedule and the priorities to be given to their implementation.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Mr A Shepherd	While there may be evidence to support the levy it does not go wide enough and the charges are too low.	The charges are based on viability and the ability of development to fund the levy.
Mr T Shilvock	Whilst large developments have the cost advantage of scale and can afford to pay up front for infrastructure costs, small and one-off developments should not have to make CIL payments.	The viability of smaller developments has been tested.
Mr R Hedger	With regard to Gaydon/Lighthorne Heath (GLH) proposal, there is not sufficient evidence on infrastructure to underpin the preliminary draft charging schedule, since it is predicated on incorrect sustainability assessments (i.e. the site area, number of dwellings and the land value are unknown).	Further work has been undertaken on the infrastructure requirements for Gaydon/Lighthorne Heath.

Question 3: Apart from at any strategic sites, do you consider that a single rate for residential development is appropriate for Stratford on Avon District?		
Gladman Developments	The residential land values suggest a differential residential charge would be appropriate.	Whilst there are some differences in residential values across all the district, the majority of planned development is within the central and east parts of the district where there is less distinction and in accordance with the CIL guidance the Council has aimed to take a less complex approach given the available evidence.
County Land & Business Assoc.	A single rate of £80.00 per square metre would provide adequate funds to support development together with planning obligations. £150.00 is excessive and will stifle development and discourage sites from coming forward. It will also drive down land values.	It is anticipated that CIL like other policy costs ultimately comes out of the land value.
The Stratford Society	It avoids unnecessary complexity.	Agreed.
Gaydon Parish Council	It makes sense to keep a simple scheme & a single rate is very clear.	Agreed.
Stratford-on-Avon Town Council	A single rate would be sensible - will £120 per square metre be sufficient for infrastructure and Affordable Housing?	On the basis of the viability testing affordable housing should continue to come forward. There is a funding gap for infrastructure for which other sources of funding will be sought.
Listers Group	Yes, provided that the Canal Quarter is considered as a Strategic Site. If not, a lower CIL level if appropriate for the Canal Quarter because of its significance to the development strategy, and the need to take in to account the abnormal costs likely to be encountered.	Agreed - A separate charge is proposed for the Canal Quarter.
Kineton Parish Council	Seems reasonable. However, the distribution of the Levy should not be confined to the immediate neighbourhood when it can be shown that infrastructure is affected in nearby parishes.	Noted.

Stansgate Planning	The CIL Economic Viability Study has not considered sites which are designed to meet local housing needs (currently brought forward under Policy COM.1 of the Local Plan). As a result, land may not come forward for the provision of local needs housing and the knock on effect will lead to smaller settlements not providing any local needs market housing. The Economic Viability Study should assess COM.1 schemes and dependent upon the outcome, apply a separate CIL rate to such proposals.	The CIL will be in place after the Core Strategy has been adopted, which will replace all existing policy.
Cotswold Conservation Board	A higher rate of CIL could be justified for development within the Cotswolds Area of Outstanding Natural Beauty (AONB) because of the higher land values and limited level of growth generally seen in rural areas and in the AONB in particular.	Whilst there may be higher development values within the AONB there is very little development proposed. Therefore in the interest of keeping the charging zones simple the Council has opted to limit the number of zones to where the greatest differences are in areas where development is proposed.
Alscot Estate	A single-rate figure of £150.00 square metre is too high. The lower CIL charge of £60.00 per square metre is considered more appropriate and should apply to all residential development throughout the District.	The proposed rate is consistent with the viability evidence. No evidence is provided as to why £60 p sq. m is more appropriate.
Warwickshire Police	WP is concerned that the proposed approach may have the unintentional result of leaving infrastructure projects under-resourced in the 'less desirable' parts of the District and the Council may not have the opportunity to benefit from this enhanced 'planning gain' to fund necessary infrastructure in more sought after locations under the proposed system. We ask that the Council consider again charging at differential rates according to the specific locality within which the development is to be situated.	This would result in an overly complex charging zone which is discouraged by the statutory guidance.

Stratford Town Trust	The application of a single rate for other than the identified strategic sites is inappropriate and unreasonable. In particular the single rate fails to adequately have regard to the additional costs of redeveloping brownfield sites within the town boundaries. The viability and the delivery of the Canal Quarter scheme will be jeopardised by the proposed CIL rate. Insufficient work has been undertaken to justify the application of the single CIL rate to the Canal Quarter regeneration zone, and we cannot support the District Council's draft Schedule.	Agree in part - the Canal Quarter has now been identified separately.
Cemex UK Properties	The proposed Preliminary Draft Charging Schedule uniform charge rate (excluding specific strategic sites) of £150 per square metre for residential development is generally higher than other adopted and emerging CIL Charging Schedules in the West Midlands. In order to justify this higher CIL charge, the Council will need to be satisfied that they have a robust viability case.	Noted.
Commercial Estates Group	Whilst we can appreciate the simplicity of a single CIL rate we consider that there is a considerable difference in value and development/Section 106 costs associated with a small rural development within or adjacent to a village and larger Greenfield sites within or adjacent to the District's towns. To levy the same rate on a small Greenfield site adjacent to a village (supported by the policy of dispersal of considerable housing to the villages) to that within a less desirable urban location appears perverse.	Noted.

West Midlands HARP Planning Consortium	The Council believes that there are no meaningful boundaries to put forward a housing charging schedule; we would assert this is not the case at all. A map is supplied by the Council which shows the differentiation in housing price throughout the district, we propose this shows a meaningful boundary that the Council can use in assessing a geographical CIL Charging Schedule. Allowing for a geographical split means the Council can tailor a CIL rate which is appropriate to the area.	Clearly there are are different property values across the district however the Council considers that the majority of planned development is located within the central and east areas where there is less distinction between the development values. Also the mapping of house prices is based on post code boundaries which are not very meaningful in land use planning terms. The statutory guidance advocates a simple charging structure and that a limited number of zones is preferable.
B and M Glanfield	The proposed charging regime for general residential development at £150 per square metre will impose an unjustifiable cost burden upon residential development and should be omitted. The scale of charge is too onerous and will in itself be a disincentive to residential development taking place. It is considered that the proposed rate does not 'strike a balance' as it will impact on the economic viability of residential development.	The viability evidence shows that the proposed charges do not put at risk planned development and that the proposed rates strike an appropriate balance between delivery and funding for required infrastructure.
St Modwen, Orbit Group, Redrow Homes	We do not agree with the proposal to adopt a single charging rate for all residential development across the District, outside the strategic sites. The spread of house prices from west to east suggest the creation of more than one charging band. Outside London, S-on-A is the highest residential charging rate in the country which provides a clear indicator that the proposed residential rate is not informed by an appropriate and available evidence base therefore potentially placing the delivery of the majority of development within the District at serious risk.	Comparison with other areas is not helpful as the policy position and values will vary.
Warwickshire Rural Housing Association	The main concern is to ensure that the delivery of affordable housing is not squeezed by CIL charges that are set too high. The delivery of affordable housing should be a fundamental consideration for local authorities when setting the rate of CIL.	The Council has carefully considered both the provision of affordable housing and equally important provision of the necessary infrastructure to support that housing – both are necessary. The viability evidence shows that both can be delivered.

Warwickshire County Council	Yes. This is a recommendation of the consultants and the supporting evidence.	Noted.
Mr T Shillock	Self-build projects should be exempt from CIL payments.	Self- build projects have been exempted since regulation change in 2014.
Mr A Shepherd	A single rate is appropriate, but should be the same for all new developments.	Noted.
<p>Question 4: Do you consider that the proposed rate strikes the right balance between raising finance for necessary infrastructure and the need to ensure that the majority of planned development is not put at risk?</p>		
Inland Waterways Association	The rates appear to be sufficient for the Council's needs without being too onerous for developers.	Noted.
Savills UK Ltd (for a no. of house builders)	No. See Detailed Comments on Viability Evidence below.	Noted.
Gladman Developments	The proposed residential rate has not been robustly evidenced and would have an adverse impact on the deliverability of new housing. The rates are relatively high when compared with other authorities in the East and West Midlands. 85 dwellings off Banbury Road in Stratford-upon-Avon paid £6,719 per market dwelling in planning obligations – the proposed rates would shock the residential land market.	Comparisons with neighbouring areas are not helpful as the policy position will vary greatly as do values. However if comparisons are made then it should be noted that residential values are relatively high when compared with other authorities in the East and West Midlands.
The Stratford Society	It appears from the Economic Viability Study that the proposed rates are very generous to landowners and the development industry. In other words there is considerable room to increase the rates, in our view, without threatening the viability of most developments.	The Council has set the levy and a rate that it considers will not threaten delivery but will provide funding for required infrastructure.
Stratford Town Trust	No, please see comments in connection with Question 6 about the effects of the proposed levy on the redevelopment of the Canal Quarter. On a more general level it seems that the proposed level will put schemes at risk due to the implications for developers' profits and land values.	Agree - Canal Quarter now has a separate rate.

Gaydon Parish Council	There is insufficient information to form an opinion as to how much necessary infrastructure requirements there are and how much stands to be raised. The provision of a draft list of schemes, an indicative priority and estimated costs would be very helpful.	Please see Infrastructure Delivery Plan within the proposed Submission Core Strategy.
Stratford-on-Avon Town Council	Concerns over the balance between infrastructure (CIL /S278) and S106 to provide essential housing. There is a great risk here.	The viability work has been undertaken taking into account affordable housing policy, so as not to put it at risk.
Listers Group	We are concerned that the rate of CIL proposed could significantly affect the delivery of the Canal Quarter and that this would have a significant implications for the Soundness of the Core Strategy itself, given the role that the Canal Quarter is expected to play.	Agree - Canal Quarter now has a separate rate.
St Modwen, Orbit Group, Redrow Homes	In light of the comments made in response to Question 3, we do not consider that the proposed rate for residential development would ensure that the majority of planned development is not put at risk.	Noted.
Commercial Estates Group	Without a better understanding of the split between Section 106 obligations, CIL and specific on-site abnormal costs we are not yet in a position to comment. The proposals at GLH have evolved since the original viability work and IDP were published.	Agree – further work has been undertaken.
Warwickshire County Council	Yes. This is a recommendation of the consultants and the supporting evidence. However, we have concerns about sufficient safeguards and early periodic reviews are essential. The concern is about any significant funding shortfalls/gap for infrastructure for critical and essential infrastructure to support sustainable growth in a timely manner.	Noted.
Mr T Shilvock	Small projects, like single self-build properties, are put at risk by flat-rate CIL charges.	Self build development is not liable for the levy.
Mr A Shepherd	The rate should be higher than proposed to ensure best value is obtained for the Council and residents.	The Council has set the levy and a rate that it considers will not threaten delivery but will provide funding for required infrastructure.

Question 5: Do you agree with the proposed rates for residential development at the three potential strategic sites?		
Savills UK Ltd (for a no. of house builders)	We object to the proposed rates for the strategic sites and think they should be zero rated (see Detailed Comments on Viability Evidence below).	Noted, however there are items of infrastructure that need to be funded by CIL from the strategic site as they also require funding from other development and would not meet the 5 or more test, if a S106 item.
The Stratford Society	The proposed variation in charges appears to reflect variations in S106 costs at the three sites. Even allowing for the proposed higher level of CIL at GLH, the overall cost per dwelling when S106 estimates are factored in is significantly less than the other strategic locations presumably helping promote GLH as the preferred option.	Each strategic site was tested independently by the consultant on its individual requirements rather than any preordained preference.
The Stratford Society	The CIL level proposed elsewhere at smaller sites, where S106 costs are estimated to be lower, points towards much cheaper development costs than at any of the strategic sites. This will help encourage development at smaller sites. No objection to incentivising development in this way.	Noted.
Stratford Town Trust	Understand the need for reduced rates at the three potential strategic sites but feels the principle should also be applied to the Canal Quarter and any other major scheme involving the redevelopment of previously developed land within the town of Stratford-upon-Avon to reflect the particular costs of the scheme(s) and the public benefits which would flow from them.	Agreed, Canal Quarter has now been tested separately.
Gaydon Parish Council	Would need to understand the expected funds to be raised & what projects they would be put towards. There is no basis for calculating the rate, so it is unclear why the Long Marston & SE Stratford SUE schemes are at the lowest end of the scale, whilst Gaydon/Lighthome Heath is at the top.	Each strategic site was tested independently by the consultant on its individual requirements.

Cemex UK Properties	Our client's concern at this stage is in relation to the specific reference to the GLH new settlement, as opposed to a general reference to 'strategic sites'. It is considered that making specific reference to named sites is inappropriate at this stage as it is premature to the emerging/evolving Core Strategy policies. CIL rates for large strategic sites should be calculated on a case-by-case basis taking into account their particular characteristics and should be set at a level which makes their development economically viable.	Noted.
Stratford-on-Avon Town Council	On the basis of the additional testing which is necessary, we are of the view that it would be more appropriate to identify a range for any CIL payment at this stage. This range can then be refined in due course to reflect the outcome of this additional work, and the need for the CIL payment to reflect the particular context and characteristics of the site which is ultimately chosen for allocation as a strategic site.	Noted.
Commercial Estates Group	The CIL rate for the strategic sites has to be informed by a better understanding of Section 106 costs and on-site abnormal costs and as such it is difficult to comment at this stage of the process. My client, before supporting a specific CIL rate, will need far greater clarity on such matters. Suffice to say, we consider that more work needs to be undertaken on values. At this stage, we consider that this will result in a significantly lower CIL rate.	Agreed, further work has been undertaken.
West Midlands HARP Planning Consortium	Our major concern revolves around paragraph 6.7.10 of the viability study relating to the benchmark figure of £600, 000 for this type of development being appropriate. We would also like table 6.6 to be explained, the benchmark figure per Ha for each of the three developments is £600,000, so how does this reflect a different per sq.m. value for each strategic site in the same section of the table? We would also expect the CIL rate to have changed considerably by 2026 and so the Council may wish to phase the development in its Charging Schedule to reflect this.	Benchmark level was set following consultation, including with the strategic sites' promoters. The Council will consider the phasing of CIL payments on large sites.

Harbury Parish Council	The lower tariffs proposed for new large developments at Gaydon and elsewhere do not necessarily seem justified in a climate of when house prices are rising quickly and developers on greenfield sites can earn a lot of money.	The costs to develop a large greenfield site are generally higher than smaller sites – house prices rises will affect small sites as much as larger ones.
Harbury Parish Council	CIL money should not be absorbed into the general SDC budget, nor spent on improvements to infrastructure and facilities many miles from the actual development.	The Council is bounded to spend money on infrastructure that supports growth. It is correct that this does not necessarily mean that it has to be spent where it is collected.
FORSE / Lighthorne Parish Council	If SDC seeks to encourage development of brownfield sites over greenfield sites, then it is correct that a lower CIL rate should apply. However, there are several brownfield sites that are under active consideration where the CIL rate will be at the higher District rate of £150/sq. m. This will, in effect, penalise development of these other brownfield sites, in favour of development of the GLH greenfield site.	The proposed levy is set at a rate that does not put the majority of development at risk.
St Modwen, Orbit Group, Redrow Homes	In view of the overarching concerns regarding the approach and assumptions made and the lack of a credible evidence base in relation to infrastructure planning, we are unable to comment further at this stage.	Noted.
Mr A Shepherd	No they should be higher and the same as the rest for the District.	Noted.
Mr R Hedger	Do not agree the proposed rates for residential development at the three potential strategic sites. The GLH proposal should not be considered a strategic site with an attractive CIL rate. There are more sustainable brownfield sites and these should attract competitive CIL rates in preference to GLH. GLH should fall within the proposed District wide CIL rate of £150 per square metre.	The proposed levy is set at a rate that does not put the majority of development at risk. The strategic site rates take into account the likely S106 contributions that will also come forward from these developments.
Local Resident	There is compelling evidence that District wide, the proposed new housing figure can be achieved without the GLH proposal and as such, the GLH site should fall within the proposed District wide rate per dwelling.	Housing numbers are not part of this consultation. The rate for GLH has been set according to viability considerations.

Laura Steele	Not all the sites being considered for inclusion in the Core Strategy have been included in this consultation - surely all of them should be for any fair comparison to be made? GLH should be removed from the strategic site category in its entirety. By presenting GLH as a cheaper option it promotes the use of a greenfield site as opposed to using brownfield sites first. Developers should be discouraged from building on agricultural land not given a bonus. GLH should be the same rate as the District if it is to be included.	Housing numbers are not part of this consultation. The proposed rates for GLH and other strategic sites have been set according to viability considerations.
Mr T Shilvock	Large developers have a cost advantage of large scale and often cause a step change in infrastructure needs, so should be charged a higher CIL cost. In some cases, a single extra dwelling requires no infrastructure changes and a CIL charge is inappropriate.	All development has some impact on local infrastructure and therefore it is right that CIL is in place to collect from all sizes of development, subject to viability considerations.
Question 6: Do you agree that retail development should pay a rate of £120 per square metre?		
Asda Stores Limited	£120 per square metre on retail would disadvantage retail developments and not enable the retail and employment aims of the Core Strategy to be met.	There is no evidence to suggest that planned retail development is put at risk by the proposed charges.
Asda Stores Limited	The retail modelling doesn't sufficiently allow for other S106/278 costs and does not show how the £875,000 cost in the example of a 3,500 square metre superstore is made up.	The publication of the draft 123 list will set out what CIL will be used for.
Warwickshire County Council	Yes. However, should there be differentiating charges out of town and town centre charges. This is a matter for the District Council to weigh up and consider.	Noted.
Bidford-on-Avon Parish Council	A rate of £50.00 on all commercial/business.	The evidence suggests that commercial/business uses, other than out of town retail, is not sufficiently viable to pay a levy.
The Stratford Society	It appears the Council is not anticipating many, if any large new out-of-town retail developments within the period of the Core Strategy. However, the charging schedule should allow for such a possibility.	Agreed.

The Stratford Society	The proposed rate fails to distinguish between large food and non-food shops on greenfield sites, which have very different use patterns and residual land values and these variations should be reflected in different CIL rates.	The Council has opted to present a less complex charging schedule in accordance with the guidance and set a limited number of charging uses and zones.
Stratford Town Trust	No. The Town Trust has significant property interests in the town centre and considers that the application of a CIL rate to retail development can only further adversely affect the vitality and viability of the town. Costs on development within the town centre, and pressures on rents and yields are already high and the proposed CIL rate will be a further brake on much needed investment. The Town Trust submits that the charging schedule should have a nil rate for town centre retail development.	Retail rates within town and village centres have been reviewed for the Draft Charging Schedule.
Gaydon Parish Council	Retail is a very wide definition & this proposal would seem inappropriate, unless it really refers to large scale "retail park" developments. Without a basis for the calculation, it is not possible to determine whether this proposed rate is appropriate.	Noted.
Stratford-on-Avon Town Council	Stratford-upon-Avon retail is holding up but not sure it is the same picture elsewhere in the District. Town is overprovided with shops and more retail should be discouraged so charge more. Emphasis should be placed on regeneration of existing retail stock to make it attractive and viable. Some sectors need help and 0% would be appropriate, community development in particular.	CIL cannot be set on policy grounds, it must be based on viability evidence.
Sainsbury's Supermarkets plc	The viability study in support of the PDCS has assessed a number of different retail development typologies. Retail developments within Stratford town centre were demonstrated to result in negative residual value and therefore a nil charge for these developments recommended. However, the PDCS sets a single charge for all retail developments, including developments within Stratford town centre. It is not clear within the consultation document as to why the PDCS has not followed the recommendations within the PBA viability study to set a separate nil charge for retail units in Stratford town centre. We therefore request that this is clarified.	Noted – approach has been reviewed.

St Modwen, Orbit Group, Redrow Homes	We do not agree that all retail development should pay a rate of £120 per square metre. The viability study has not undertaken any assessment elsewhere within the District, on the basis that no new development is planned in other areas. We consider this assumption is flawed. The proposed charging rate for retail development is solely based on values associated with S-on-A which is a high value area. It is unlikely to reflect the viability of retail development elsewhere within the District. This level of charge could have serious implications for retail development elsewhere within the District. It would be entirely appropriate to set different rates for large and small retail to recognise the distinction and prevent the latter from being precluded on viability grounds.	Noted – further testing has been undertaken.
Mr A Shepherd	I consider it should be higher.	Noted.
Question 7: Do you agree that the other sectors are unable to afford a CIL contribution in the present climate?		
National Farmers Union	Welcome the decision to introduce a 'zero' levy rate for other uses. However, would wish agriculture to be a zero rated activity due to there being no uplift in land value for new agricultural buildings and any levy would have to be paid out of revenue which could have an effect on the economic viability of the farming enterprise.	Noted- agricultural uses are in effect zero rates as no levy has been identified for this type of use.
Alscot Estate	With reference to the 'Preliminary Draft Charging Schedule' and figures set out at Table 1, we agree that other sectors shown in the table including 'Employment (B1/B2 and B8 uses)' should not be subject to a CIL payment.	Noted.
Warwickshire County Council	Yes, developments by the County Council.	CIL cannot be set according to the individual developer, business or even Council – it is based on viability and within the regulations and statutory guidance.
Stratford Town Trust	Agree that other sectors shown in the table including employment uses should not be subject to CIL.	Noted.

The Stratford Society	It would be a mistake to exclude employment land from the CIL regime. Fairly small changes in market rent levels and business confidence would dramatically alter the picture. In the longer term, economic prospects for the District are excellent and it would be wise to include employment land within the CIL charging schedule.	If employment development attracts higher values in the future then the Council will review, but at present it is not possible to charge a levy for this type of development as it is not sufficiently viable.
Sport England	Other sectors such as leisure and sport, hotels and guest houses should have a levy. Care homes and extra care facilities should also attract a levy, as should student accommodation.	Many of these uses have been tested and the results are shown in the evidence. In respect of student accommodation the Council does not envisage this type of development occurring within the District.
Gaydon Parish Council	There should be a positive rate applied to all sectors, even at a low level, so as to ensure there are no expectations of continued zero rating.	The rates are set according to viability, where it is possible to charge the levy and not put development at risk this has been done.
Stratford-on-Avon Town Council	Concerns over 0% for B1, B8, Office and Warehousing as these should pay a contribution to CIL. High end manufacturing, research, start-up premises should be 0% rated.	There is insufficient evidence to suggest significant difference with these uses in the district.
Mr A Shepherd	No, all sectors should pay the same.	
Question 8: Do you have any further comments on the proposed CIL rates set out in Table 1: Preliminary Draft Charging Schedule?		
Asda Stores Limited	The Council should adopt a flat rate levy across all sectors. If sectors/developments cannot afford to pay it they should get Exceptional Circumstances Relief.	The proposed rates have been set based on the viability modelling. The Council will consider applications for exceptional relief on a case by case basis when the levy is operating.

Churchill Retirement Living/McCarthy & Stone	The viability evidence should consider retirement/sheltered housing as a development typology and should consider the potential effect of CIL on the supply of housing for the elderly. Retirement developments should be provided in close proximity to town and local centres where existing use values are high. The modelling should include a typically flatted retirement scheme located on a previously developed site within 0.4 miles of a town centre. (The respondent does note and commend the inclusion of a development scenario for Extra Care Accommodation).	It is not considered necessary to undertake separate testing for retirement housing.
Churchill Retirement Living/McCarthy & Stone	The joint paper provided by this respondent provides a no. of generic viability inputs for specialist accommodation for the elderly relating to communal areas, sales rate (i.e. sales and marketing fees), empty property costs (effectively a subsidy on service charges) and build costs.	It is not considered necessary to undertake separate testing for retirement housing.
The Stratford Society	The Council should distinguish between greenfield sites and previously developed land. There are assumptions made about existing use land values, existing infrastructure etc from which it is inferred that the Residual Land Valuations for the two types of land are broadly comparable. This flies in the face of experience – developers generally prefer greenfield sites. I would therefore support lower CIL rates for previously developed land.	Noted.
National Farmers Union	It is important that CIL charges do not stifle development. Clarification is required on how agricultural; forestry and horticultural development will be treated under the draft charging schedule. CIL should not be applied to these industries. Concern that farm shops will have to pay CIL charges as the fall under A1 (retail) use and should not be treated the same way as supermarkets.	It is considered that farm shops, whilst retail uses will either use existing floorspace or be under 100 sqm and therefore not liable for CIL.
Theatres Trust	Support a nil-rate for 'public service and community facilities' and 'other uses' which will hopefully include cultural buildings (such as theatres). Community facilities depend on public investment or subsidy and are therefore inherently unviable in developer terms, even without the imposition of CIL.	Noted.

Warwickshire Police	If the row in Table 1 entitled 'Public service and community facilities' includes the emergency services, we have no comments to make. If it does not, we recommend that the current exemptions for other development sectors are extended to the emergency services.	Noted.
County Land & Business Assoc.	It is important that CIL charges do not stifle development in rural areas of the District. The CLA recommends that clarification is given on how Agricultural, Forestry and Horticultural development will be treated under the draft charging schedule. It is the CLA's view that CIL should not be applied to these industries and all of types of development associated with them.	No CIL is proposed for these types of developments.
Stratford-on-Avon Town Council	If 0% is imposed on Charity, Public Service and Community Facility structures and these structures are sold to commercial uses within a number of years, there should be a claw back for CIL.	There are strict rules on exemptions to the levy – please see the regulations and guidance for further information.
Listers Group	At this time, we remain concerned that the rate of CIL proposed could significantly affect the delivery of the Canal Quarter. In our view, the Canal Quarter a "strategic site" for the purposes of the CIL assessment due to its scale and significance. Given the importance of encouraging redevelopment in the Canal Quarter as a central part of the Core Strategy, it is essential that the viability of development is not threatened by CIL and we suggest that this area requires further consideration.	Agreed – Canal Quarter has now been considered separately.
West Midlands HARP Planning Consortium	We are pleased to see that both Care homes and Extra Care houses have been excluded from the CIL Charging Schedule.	Noted.
West Midlands HARP Planning Consortium	There are a number of comments we have regarding the viability study that support the CIL rates in Table 1. The CIL workings set out in appendix B for residential CIL Charging are indecipherable to us and as such we are concerned as to what has been worked out and what level of CIL they would actually support.	The approach is a standard one for such studies. We welcome further conversations to further explain approach if required.

West Midlands HARP Planning Consortium	Paragraph 5.2.10 of the viability study states that "affordable unit sizes for houses are at the same standards as market housing" which we accept as normal and so would expect a similar build cost to market housing. If the viability study has already discounted an affordable housing contribution from the developer then this needs to be taken into consideration as there is a discrepancy of many thousands of pounds in the final value of each house in some scenarios.	The approach is a standard one for such studies. We welcome further conversations to further explain approach if required.
West Midlands HARP Planning Consortium	The Viability Study talks of keeping the testing simple however we believe that some aspects of the Charging Schedule are too simple. There are many variables that need to be considered, we acknowledge that not all can be looked at but a simple working out of an increase and decrease in build costs and an increase and decrease in house prices is considered a minimum requirement.	The regulations and guidance are clear on these issues – Council should seek to avoid overly complex approaches and the CIL rates should be based on current costs and current values.
Mr A Shepherd	All the figures should be higher and payable in one lump sum at the start and not spread over a period.	Noted.
Mr T Shilvock	Single self-build dwellings should be exempt from CIL charges.	Self-build properties are now exempt from CIL.
Question 9: Do you support the introduction of a CIL instalments policy, and if so, what should this be?		
Asda Stores Limited	Agree that an instalment policy is necessary as this should ensure developers are not disadvantaged by submitting an application for full rather than outline permission. We request that the Council reviews its instalment policy to ensure that developers are not disadvantaged by the decision to submit a full planning application for a phased development scheme.	Noted. The Council can amend the instalment policy at any time and will consider carefully as to when it is appropriate to do so.
Churchill Retirement Living/McCarthy & Stone	For retirement housing, the first payment should be on first occupation and then payments should be phased depending on occupation levels.	Noted. The Council can amend the instalment policy at any time and will consider carefully as to when it is appropriate to do so.

Savills UK Ltd (for a no. of house builders)	The Consortium supports the inclusion of an instalments policy but notes that there is no reference to this in the viability assessment. The Consortium recommends that the initial payment due at commencement of development should be lower at strategic sites to reflect the upfront costs on such sites.	Noted. The Council can amend the instalment policy at any time and will consider carefully as to when it is appropriate to do so.
Bidford-on-Avon Parish Council	The full amount of CIL monies owing to Town or Parish Councils should be paid within 60 days.	Noted but Council maintains its view that in some circumstances instalments are necessary so as not to put delivery at risk.
Warwickshire County Council	Yes. The District Council will also need to have robust processes to recover charges.	Agreed.
Stansgate Planning	Support the introduction of a CIL instalments policy to allow better cash flow management, which would be especially beneficial to smaller developers who do not have such a good relationship lenders and who have fewer reserves.	Noted.
Gaydon Parish Council	An instalments policy makes sense. It should be kept simple, perhaps two scales rather than the four. Has there been any consideration around penalties for late payment or discounts for early payment? There also need to be a clearer definition of "when development commences".	Noted – guidance is clear on procedures around recovery of payments.
Stratford-on-Avon Town Council	Yes, but what is in place if a developer fails to pay or goes out of business and cannot pay? Can SDC insist on having ring fenced reserve accounts, which will ensure that they will be paid any CIL/S106 or other planning obligation monies due to them in the event of our company going bust?	Noted – guidance is clear on procedures around recovery of payments.
Commercial Estates Group	A CIL instalment policy must be refined enough to allow phased payment of contributions over the implementation period of the respective phase. Whilst we fully support a CIL instalment policy the details of such a policy needs to be established in close liaison with the strategic site developer in advance of the policy being adopted.	Agreed.
Kineton Parish Council	Broadly supportive but there will be instances where the expenditure that is needed to ensure sustainability will be incurred at the start of a phased project and therefore the full CIL should be payable to facilitate/support the expenditure.	Noted.

Kineton Parish Council	Payment of all or part of the levy should not be recoverable by the developer in the event that the expenditure is not incurred within any predefined timescale. The CIL obligations should be secured and transferrable in the event of a change in ownership of the site/development.	CIL does not work in the same way as S106 – there is no time limit for expenditure.
St Modwen, Orbit Group, Redrow Homes	Whilst we support the principle of introducing an Instalments Policy, we consider the draft policy would not help to reduce the financial burden on the developer, particularly on brownfield and/or larger sites where the cost of supporting infrastructure and construction costs early on are likely to be significant. We would therefore suggest that the Instalments Policy is revised to reduce the financial burden on brownfield and larger scale schemes.	Noted.
The Stratford Society	No justification is given for such a policy. It is merely a form of interest subsidy to the developer in order to assist cash flow and this should be addressed in his overall financial plan for the development.	Agreed, it is to assist cash flow to ensure developments are deliverable and don't stall.
Stratford Town Trust	There needs to be an instalment policy to take account of finance requirements and development cash flow. The proposed instalments policy will jeopardise the funding of development schemes since by the time the levy is to be paid there will be no or few receipts. It is noted that payment of the levy is to be triggered by the commencement of development and in some cases it could all fall for payment before the 'actual' project gets underway. This will have major implications for cash flow and finance costs. The Town Trust considers the payment schedule needs to be more sophisticated to reflect the scale and complexity of a development project.	Noted.
West Midlands HARP Planning Consortium	The Council should introduce a phased payment policy to reduce the initial upfront cost of CIL. Having to pay large sums upfront means the developer will need to take on more debt so pay higher rates of interest, this in turn will affect the developer's cash flow and therefore the viability of the site.	Agreed.
Bidford-on-Avon Parish Council	There is no reason why the full amount should not be paid to the Parish/Town Council within 60 days. The funding should benefit the local community not the principal authority.	Noted but Council maintains its view that in some circumstances instalments are necessary so as not to put delivery at risk.

Mr A Shepherd	All the figures should be higher and payable in one lump sum at the start and not spread over a period.	Noted but Council maintains its view that in some circumstances instalments are necessary so as not to put delivery at risk.
Question 10: Do you consider the Council should offer the additional exemptions set out in section 4.4 of the Preliminary Draft Charging Schedule?		
Asda Stores Limited	The Council should adopt an Exceptional Circumstances Relief policy	The Council will consider applications for exceptional relief on a case by case basis when the levy is operating. There is no need to set policy at this stage as the levy is based on up to date viability work.
Bidford-on-Avon Parish Council	Support all the exemptions except for the last one.	Noted.
Stansgate Planning	Yes, we believe the Council should offer the additional exemptions set out in section 4.4 of the Preliminary Draft Charging Schedule. It may also be appropriate for a third exemption to be included: Developments by Charities; Development where a Specific Scheme cannot pay the levy; Development of COM.1 Schemes.	Noted.
Voluntary Action	The Council should offer as much support as possible for Charities which seek to raise money to put back into the local community.	Charities developing for charitable purposes are not liable to CIL.
English Heritage	The application of a local CIL charge on development which affects heritage assets might lead to harm being caused to their historic significance, in terms of viability. Would the offer of CIL relief in exceptional circumstances cover development which affects heritage assets and may become economically unviable if it were subject to CIL?	We will consider individual exemptions on their merits and are not proposing an Exceptions Policy as part of the Draft Charging Schedule. This will be considered as issues arise.
Warwickshire Police	If the emergency services are not (or cannot be) included in the row entitled 'Public service and community facilities' within Table 1, we recommend that the current exemptions for affordable housing and charitable developments are extended to the emergency services via a discretionary relief policy.	Noted.

County Land & Business Assoc.	Housing needs for rural businesses such as agricultural, forestry and other essential rural workers should be exempt from CIL. Such properties are not sold for development gain and are usually restricted by some form of occupancy condition which has already had a negative impact on the value of the development.	If these are classed as affordable housing then they will be exempt, if not they will be expected to meet the CIL charge.
Stratford-on-Avon Town Council	Affordable Housing YES - Charitable developments subject to claw back if structures are sold on for commercial use.	Noted.
West Midlands HARP Planning Consortium	Exemptions and CIL relief are important as it allows the Council some flexibility in ensuring that housing remains deliverable on a few specific sites. We consider that within the short and medium term allowing exceptions would assist the delivery of affordable housing in the District and we would therefore be very pleased if the Council includes exemptions in their charging schedule.	Noted but affordable housing is already exempt from paying CIL.
St Modwen, Orbit Group, Redrow Homes	We would support proposals to provide discretionary relief for the developments detailed within section 4.4.	Noted.
Warwickshire County Council	Yes. County Council developments should be exempt as these would be funded from CIL, S106 monies, and central government funding.	Noted.
Warwickshire County Council	We support the assessment by the Economic Viability assessment nil rate for extra care housing and the District Councils policy of 35% affordable extra care housing.	Noted.
The Stratford Society	Additional exemptions could undermine the clarity of the CIL policy. In both categories, there would be an opportunity for CIL avoidance. It is not clear why the Council would wish to treat commercial developments by charities as a special case, nor why it should address the issue of unviability as suggested.	Please see the regulations and guidance as it is quite clear in these the scope for exemptions.

Stratford Town Trust	The Town Trust strongly urges the District Council to offer the exemption to developments by charities which are held as an investment from which profits are applied for charitable purposes. The exemption should also be extended to cover the development of land owned by a charity (where the charity does not directly carry out the development project) where the receipt from the sale of the land is applied for charitable purposes.	The Council will consider exemptions on their individual merits and won't be proposing an Exemptions Policy in the Draft Charging Schedule.
Warwickshire Rural Housing Association	Welcome the position of not charging the proposed levy on affordable homes. Believe the levy should not be charged on local market homes under SDC Local Plan Policy COM.1	Noted.
Kineton Parish Council	NO, to the additional exemptions because it gives a developer with a good lawyer plenty of opportunity to avoid paying CIL.	Noted.
Mr A Shepherd	All sectors should pay the same with no exemptions.	Noted.
Mr T Shilvock	Exemptions should apply to self-build schemes.	Self build is already exempt.
Question 11: Do you agree that the CIL rates should be reviewed in 3-5 years?		
Savills UK Ltd (for a no. of house builders)	3-5 years is too distant. There should be a rolling review every 6 months.	To review every 6 months would not provide sufficient certainty. The Council will review the evidence on impact on delivery and changes in values and costs after the CIL has had a chance to operate for a year or two or if there is a significant economic shift.
Stansgate Planning	Whilst CIL rates are index linked, no allowance can be made for changes in the market generally. Once the market has recovered, it may be that other forms of development are sufficiently viable to be able to afford a levy. Without regular review, charges to those forms of development cannot be included.	The Council will regularly review the market and if the evidence suggests there have been significant changes then rates will be reviewed.
The Highways Agency	A review rate of 3-5 years is appropriate in order to ensure that the cost of the levy does not preclude development coming forward and that rates are responsive to changes in economic conditions.	Noted
Stratford Town Trust	Yes, the CIL rates should be kept under review on a regular basis, but perhaps every 3 years rather than five.	Noted.

West Midlands HARP Planning Consortium	This is in practice a sound idea, though we also suggest that the Council consider changing the Policy slightly to state that CIL rates will be reviewed every 3-5 years or when house prices have changed 10%, whichever is sooner.	Noted.
Kineton Parish Council	Yes - and the annual reports should also show the costs of administration to ensure that 5% is the correct figure.	Noted.
The Stratford Society	There are bound to be anomalies and other changes needed once the system is in operation, and 3-5 years is too long a gap before review. Therefore the whole operation of the CIL regime, including the scope of development included and the rates charged, needs to be reviewed after 1-2 years of its operation.	Noted.
County Land & Business Assoc.	No, The CLA recommends that CIL rate be revised every 2 years. This will enable the Council to assess the market conditions of commercial and residential property development and react quickly to changes in the market which CIL will affect.	Noted.
Gaydon Parish Council	Why not annually? Also, the annual report should include proposed schemes on which the funds will be spent & the justification for selecting them.	Noted.
St Modwen, Orbit Group, Redrow Homes	Charging Authorities are strongly encouraged to keep their charging schedules under review to ensure the levy charges remain appropriate over time. Issues such as changes in market conditions are likely to be a key indicator of when revisions should be made. A period of no more than 3 years would seem more appropriate as significant changes could occur over any longer period.	Noted.
Warwickshire County Council	Yes. SDC area is a high demand area the evidence base of the CIL was took place at a low point in the economic cycle. Suggest that SDC commit to an early review of the charging schedule. Therefore, should be set at 2-3 years to keep pace with the developments.	Noted.
Mr A Shepherd	The CIL should cover a wider variety of other matters and should be at a higher level than proposed at both residential and retail development areas. No areas should be exempt from the levy. The entire levy should be paid up front and not in instalments.	Noted.

Detailed Comments on the Viability Evidence		
Savills UK Ltd (for a no. of house builders)	The housing mix used in the typologies is not reflective of the housing mix and supply of development sites coming forward within the plan.	The scenarios were based on discussions with the Council and also considered at the developer workshop as being appropriate and reflective of future supply.
Savills UK Ltd (for a no. of house builders)	6% profit on affordable housing is unrealistic. Together with the 20% on GDV for open market housing this gives a blended profit of c17% which is too low (20% GDV for market and affordable housing is appropriate).	The returns are considered appropriate and have been accepted elsewhere as reasonable.
Savills UK Ltd (for a no. of house builders)	Strategic sites/long term schemes will often be assessed by Return on Capital Employed (ROCE) not just GDV. Due to increased risks a blended profit rate of 25% GDV and an appropriate ROCE is required to reflect substantial upfront investment and greater financial risk.	As the strategic site will be allocated and substantial work has already been undertaken in respect of the cost of development, it is not considered as a risky investment.
Savills UK Ltd (for a no. of house builders)	The build costs are the same for 5 dwelling sites and the 5000 dwelling site – the volume house builders can achieve economies of scale. The rates used are only achievable by the volume house builders, not across all typologies.	Noted. Guidance from BCIS has been used to inform approach.
Savills UK Ltd (for a no. of house builders)	We disagree with the assertion that the development industry has been building at CSH Level 3-4 since 2009. If need to build to Code 4, then should allow 4.46% increase in build costs.	The reference was to BCIS which is largely based on affordable housing tenders and thus does include the extra costs of building at a higher standard.
Savills UK Ltd (for a no. of house builders)	Agree with a contingency of 5% generally but expect this to be 5-10% on strategic sites.	Noted.
Savills UK Ltd (for a no. of house builders)	The opening up costs of £5,000 per unit (small sites), £10k per unit (medium sites) and £20k (large sites) are at the low end of the range. More evidence and clarification is required.	Noted.
Savills UK Ltd (for a no. of house builders)	S106 costs have been underestimated on strategic sites. The Harman report recognises strategic sites infrastructure costs typically at £17-23k per unit (not including enabling or abnormal costs). Accordingly a zero CIL rate is recommended on strategic sites.	Further work has been undertaken on S106 costs for the strategic sites.

Savills UK Ltd (for a no. of house builders)	The costs of promoting a site through the planning process should be included (the Harman report said profession fees can rise to 20% of GDV for more complex multi-phase sites).	On an individual site costs will vary, however these are generic appraisals and on that basis professional fees set at 12% is appropriate.
Savills UK Ltd (for a no. of house builders)	Benchmark Land Value – there are concerns about how this has been calculated. The evidence should be made available at the next stage of consultation.	Noted.
Savills UK Ltd (for a no. of house builders)	The geographic location of the planned supply should be analysed in relation to the market value areas. There is no analysis as to what proportion of each type of land (pdl, Greenfield, existing residential) is in each value area.	The anticipated supply from each area is made clear within the report.
Savills UK Ltd (for a no. of house builders)	There is little explanation of the distribution of costs throughout the development period. The Consortium would welcome further information on cash flow assumptions, especially for the larger sites (200 units +).	Cashflow analysis has been considered and is included within the appraisal.
Savills UK Ltd (for a no. of house builders)	The PDCS makes no reference to a viability buffer though it is clear that the draft CIL rates are below the average 'financial headroom' provided within the assessments. Further explanation of the buffer would be welcomed.	A buffer is included within the rate setting.
Gladman Developments	The assumptions on gross site area to net developable area should be made explicit. The Benchmark Land Values (BLVs) should be applied to the whole site on smaller sites but on larger sites the net to gross ratio should be fixed at 70% (strategic/larger greenfield sites) and the BLV be attached to this.	Agreed - the BLV generally applies to the net developable area. The Draft Charging Schedule will include a section on BLV and how they are set determined as an appendix.
Gladman Developments	The BLVs used are reasonable provided they are applied to the correct areas (see point above). As land values vary so significantly, the Council is urged to take land values into account when negotiating affordable housing contributions.	Noted.

Gladman Developments	Table 6.7 of the Econ Viability Study shows densities in the 30-40 dwelling/ha range. There is no evidence to show this is a robust reflection of what has been provided in the past. Densities will be lower in rural areas and on the edge of settlements – it is suggested that 20-25 dwellings per ha should be tested.	Densities were discussed at the stakeholder workshop. The Council consider that the densities used are appropriate.
Gladman Developments	The analysis should also test flats and terraced housing on other than just large brownfield sites.	Again these were discussed at the stakeholder workshop. The Council consider the mixes reflect likely future supply.
Gladman Developments	The achieved prices for new build should be the asking price less 10%, not 5% as shown.	Noted.
Gladman Developments	There should be a sensitivity test to consider rising finance costs in the future.	The Council now proposes to review the rates within 2 years and would relook at finance costs at that time.
Gladman Developments	Build costs have been taken at 'mean' rates. We expect median rates to be used as the mean rates can be unduly distorted by outliers.	The latest testing uses median rates.
Other general comments		
Savills UK Ltd (for a no. of house builders)	As part of background evidence the Council should provide information on amounts raised in recent years through S106 agreements and the extent to which the affordable housing target has been met. This should be produced in advance of the DCS consultation.	This information will be provided with the Draft Charging Schedule.
Savills UK Ltd (for a no. of house builders)	There should be a mechanism whereby if CIL payments threaten viability/deliverability, they can be negotiated on a one-to-one basis.	CIL rate is non-negotiable as per the regulations.
Savills UK Ltd (for a no. of house builders)	Regulation 73(1) permits the payment of land in lieu of CIL. We advise that the Council includes provision for payment in kind as supported by the draft CIL Regulations 2014.	This will be considered on a case by case basis as it would depend on the individual circumstance.