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Representation Form

CIL Draft Charging Schedule

With Draft Reg 123 List & Draft Instalments Policy

Completed Forms should be returned on or before:
Wednesday 1 May 2013

To:
The Strategic And Development Planning Team
Caerphilly County Borough Council
Pontllanfraith House, Blackwood, NP12 2YW

Further copies of this form can be obtained from the Strategic & Development Planning Team,
or you can photocopy this form.

Contact Details

	Personal Details	Agent Details (If Applicable)
Title		Mr
First name		Mark
Surname		Roberts
Job Title (If Applicable)		██████████
Organisation (If Applicable)	Bird Group	████████████████████
Address	C/o Agent	████████████████████ ████████████████████ ██████████
Postcode		██████████
E-Mail Address		██
Telephone Number		████████████████████

1(a) Do you agree that the assumptions and/or methodology set out in the Viability Report are Robust?

Yes

No

(please tick as appropriate)

1(b) If not what are your reasons for this?

See comments in relation to 3e and 6b.

2 Do you agree that the Viability Study represents an appropriate basis for determining the level of CIL that would be viable in the Borough?

Yes

No

(please tick as appropriate)

3(a) Do you agree with the principle of identifying three distinct charging zones for Residential development?

Yes

No

(please tick as appropriate)

3(b) If you agree with the principle of identifying 3 zones, do you agree with the boundaries that have been drawn for each of the three Areas?

Yes

No

(please tick as appropriate)

3(c) If not can you outline what boundaries should be used for the zones, and what they are based on.

3(d) Do you agree with differential rates that have been set for each of the zones?

Yes

No

(please tick as appropriate)

3(e) If not which rates do you disagree with and what are your reasons for this?

The Council should grant Discretionary Relief for all development schemes (including residential development), if the scheme is rendered unviable by imposing CIL. As advocated by the CIL Regulations (Regulations 55 - 58), discretionary relief from the CIL charge should be provided where it can be demonstrated that the imposition of the CIL would render the scheme unviable as a result of specific and exceptional cost burdens. In addition, the Council should accept 'Payment in Kind' (Regulation 73 & DCLG CIL Consultation April 2013) for both infrastructure and land as an alternative to commuted sum financial payments. The cost of such infrastructure / land provision should however be independently scrutinised to ensure that it is appropriately deducted from the levy.

4(a) Do you agree with the principle of setting flat rates across the county borough for Class A1 and A3 uses and for Primary Healthcare Development?

Yes

No

(please tick as appropriate) No comment

4(b) If not what are your reasons for this?

N/A

4(c) Do you agree with the rate set for Class A1 Uses?

Yes

No

(please tick as appropriate) No comment

4(d) Do you agree with the rate set for Class A3 Uses?

Yes

No

(please tick as appropriate) No comment

4(e) Do you agree with the rate set for Primary Healthcare development?

Yes

No

(please tick as appropriate) No comment

4(f) If not what are your reasons for this?

N/A

5(a) Do you agree with the proposed £0 rate for Class B1, B2, B8 and D2 uses?

Yes

No

(please tick as appropriate)

5(b) If not what are your reasons for this?

6(a) Do you agree that the proposed level of CIL strikes an appropriate balance between the desirability of funding necessary infrastructure and site viability?

Yes

No

(please tick as appropriate)

6(b) If not what are your reasons for this?

Development viability in Caerphilly is marginal and the introduction of additional development costs will have a negative impact upon the delivery of new development within the area. The proposed CIL rates do not take into account site specific issues and constraints which may render new development unviable. Whilst the indicators used within the Viability Report are reasonable, the indicators are subject to changing market conditions. The CIL Schedule does not make any provision for the charging schedule to be reviewed on a regular basis, despite the CIL Guidance (2012) identifying the importance of this approach.

A key objective of the Council is to deliver affordable housing. The introduction of CIL will impact upon development viability and hence the ability of development schemes to deliver affordable housing. The priority to be given to affordable housing should be clarified given that at present the CIL payment is non-negotiable which will inevitably reduce the ability of schemes to contribute towards affordable housing where abnormal development costs are such that they restrict the viability of the scheme. The Council should, therefore, clarify the priority for securing affordable housing and infrastructure contributions when negotiating planning applications.

7(a) Do you agree with the Regulation 123 List set out in the Draft Charging Schedule.?

Yes

No

(please tick as appropriate)

7(b) If not what are your reasons for this?

The potential for flood defence works to be part funded via CIL should be considered contrary to the statement within paragraph 4.31 of the Infrastructure Assessment Report (June 2012).

8(a) Do you agree with the Council's Draft Instalments Policy?

Yes

No

(please tick as appropriate)

8(b) If not what are your reasons for this?

The instalments should be structured to complement the cash flow of new development such that payment should be deferred until the site preparation works is complete (DCLG CIL Consultation April 2013) with the levy payable upon commencement of the erection of buildings within a multi-phase scheme. Deferring CIL charges will reduce upfront development costs to help promote the delivery of new investment and development within the area. Phased payments should apply to all types of planning permissions including full and outline consents (DCLG CIL Consultation April 2013).

9 As a representor you have the right to request to be heard by the Examiner at the Examination of the CIL. Can you please indicate whether you would like to:

Appear at the Examination to give evidence

(please tick as appropriate)

Rely upon Written Submissions to the Examination

Thank you for taking the time to comment on the Council's proposals for
Community Infrastructure Levy