

## Merthyr Tydfil Community Infrastructure Levy

### Representation Form: Preliminary Draft Charging Schedule

Completed forms should be returned by 4pm on Thursday April 18<sup>th</sup> 2013 to:

Head of Town Planning  
Merthyr Tydfil CBC,  
Unit 5,  
Pentrebach Industrial Estate,  
CF48 4TQ.

Or via email to [devplanning@merthyr.gov.uk](mailto:devplanning@merthyr.gov.uk)

#### Contact details

Your details		Agent's details <i>(if relevant)</i>
Title:	Mr	
Name:	Dave Lucas	
Job title: <i>(where relevant)</i>	Principal Planner	
Organisation: <i>(where relevant)</i>	Caerphilly County Borough Council	
Address:	Strategic & Development Plans Ty Pontllanfraith Blackwood NP12 2YW	
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Email:	lucasdj@caerphilly.gov.uk	

#### Office Use Only

Representor Number .....  
Submission Type .....  
(email, web, letter etc)  
Representation number .....

- 1 (a) Do you agree that the assumptions and/or method set out in the viability report are robust, and that the report represents an appropriate basis for determining the level of CIL that would be viable in the County Borough?

Yes  No

- (b) If not what is your justification?

- 2 If you support the differential residential rate, do you think that the boundary between the different zones as shown is an appropriate boundary?  
If not, please say what boundaries should be used instead and include justification.  
(Please attach map illustrating any amendments)

Yes, the areas are justified on viability grounds set out in the viability report

- 3 Do you agree with the different rates for residential development proposed in each charging zone? If not, which do you not agree with and what is your justification?

Yes, the rates are justified on viability grounds set out in the viability report

- 4 If given the choice, and subject to any updated regulations, do you think that affordable housing should be delivered through CIL or Section 106 agreements?  
Please include your justification.

Affordable Housing should be delivered through S106 agreements

- 5 Do you agree with the proposal to set a flat rate levy for A1, A3 and Primary Healthcare\* uses across the whole County Borough? If not what is your justification  
\*Excludes all other uses within Class D1 of the Town & Country Planning (Use Class) Order 1987

Yes, the flat rate is justified on viability grounds set out in the viability report

- 6 Do you agree with the different rates for A1, A3 and Primary Healthcare uses? If not, which do you not agree with and please include justification.

Yes, the rates are justified on viability grounds set out in the viability report

- 7 Do you agree with the proposed £0 charge for B1, B2, B8 and D2 uses? If not, what do believe the charge should be and what is your justification?

Yes, the viability evidence identifies that such uses cannot support a CIL charge

- 8 Do you agree that the proposed level of CIL represents an appropriate balance between the desirability of funding infrastructure through CIL and ensuring that development remains viable? Please include your justification

Yes, the rates proposed reflect rates that other authorities (Caerphilly and RCT) have included in their Preliminary Draft Charging Schedules, when affordable housing targets have been taken into account.

- 9 Do you agree with the use of Discretionary Relief in exceptional circumstances where it can be demonstrated that a Section 106 planning obligation attached to a development exceed the cost of the CIL amount levied, whereby CIL would have an unacceptable impact on the economic viability of the development. If not, what is your justification?

Whilst the principle of offering discretionary relief on exceptional circumstances is supported, to ensure fair and even-handed implementation of such relief it is necessary to identify what the exceptional circumstances are.

The Regulations advise that such relief can only be offered in truly exceptional circumstances, although no scope for what such circumstances are provided, other than the fact that the CIL charge would make development unviable.

The council should provide more detail on what exceptional circumstances are in order to ensure that such relief can be implemented appropriately

- 10 Subject to any updated Regulations, it is proposed that a proportion of the net receipts of CIL be passed to local communities, through the appropriate organisations. Do you agree with this approach? If so, what do you believe the percentage should be and what is your justification?

The latest version of the Regulations identifies 15%, and the authority should adopt this position.

**Thank you for your comments on the Preliminary Draft Charging Schedule**

Please note that all representations received will be made available for public inspection and cannot be treated as confidential.

FOR FURTHER INFORMATION OR ASSISTANCE PLEASE CONTACT THE PLANNING POLICY SECTION AT [devplanning@merthyr.gov.uk](mailto:devplanning@merthyr.gov.uk) or 01685 726277