

## JCS CIL PDCS Consultation Report

### Consultation Report for the Preliminary Draft Charging Schedules

#### for Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils

##### Introduction

Cheltenham Borough, Gloucester City and Tewkesbury Borough Councils are in the process of developing Community Infrastructure Levy (CIL) charging schedules for their areas, based on the Joint Core Strategy (JCS) viability and infrastructure evidence. In preparing for CIL there are a number of key stages which the council has to go through including two periods of consultation. The first stage is consultation on a Preliminary Draft Charging Schedule.

Legislation requires that each of the JCS Councils has its own charging schedule for CIL and therefore there is a Preliminary Draft Charging Schedule for each Council. The Preliminary Draft Charging Schedules set out the initial proposed CIL rates for the JCS area. The consultation was for 6 weeks from 29 May 2015 to 10 July 2015.

##### Stakeholder consultation

Prior to the formal public consultation on the Preliminary Draft Charging Schedule, 2 stakeholder consultation events were held to discuss the assumptions for the JCS viability studies.

The first event was with the Gloucestershire LEP Construction and Infrastructure Group in June 2014. All parties forming part of the group comprising house builders, developers, agents, planning/property professionals, as well as Registered Social Providers were invited to attend a meeting to discuss issues regarding development viability.

A further development viability presentation/workshop was held on the 9 October 2014. The workshop/presentation was attended by a number of regional/national house builders, developers, agents, planning and property professionals, as well as Registered Social Landlords/Registered Providers.

##### Public consultation

A Preliminary Draft Charging Schedule consultation document was published for each Council. In addition to the Charging Schedule, each document explained the general principles of CIL and summarised the methodology/evidence base used in calculating the levels of the charge.

Each consultation document and the supporting JCS viability/infrastructure assessment documentation were available to view online on the CIL page of the JCS website. Paper versions were available to view at a range of venues across the JCS area (Appendix 2). The consultation was formatted around 5 Questions with supporting evidence requested.

Invitations to submit comments were sent by email ([2896 emails](#)), or post (xx Richard Horton to provide) to all statutory consultees and to all individuals and organisations registered on the JCS consultation database (Appendices 3 and 4). Notice of the consultation was made by a public notice which was published in newspapers circulating in the JCS area on 28 May 2015 (Appendix 5).

## JCS CIL PDCS Consultation Report

### *Summary of representations received*

34 representations were received during the consultation period and a further 2 responses were received after the consultation closed. Not all respondents used the comments form. A proportion of respondents using the comments did not respond to all questions. Appendix 6 comprises a summary of issues raised through the preliminary draft charge schedule consultation and JCS councils' response.

### **List of Appendices**

Appendix 1: Preliminary Draft Charging Schedule Consultation Information published on the JCS website

Appendix 2: Locations for viewing the Preliminary Draft Charging Schedules

Appendix 3: PDCS consultation email sent on 26 May 2015

Appendix 4: PDCS consultation letter sent on 27 May 2015

Appendix 5: Press Notice for PDCS Consultation

Appendix 6: Summary of issues raised through the preliminary draft charge schedule consultation and JCS councils' response.

Appendix 1: Preliminary Draft Charging Schedule Consultation Information published on the JCS website

## **Community Infrastructure Levy**

### **What is Community Infrastructure Levy (CIL)?**

The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area to fund a wide range of infrastructure that is needed to support new development. It will replace Section 106 Planning Obligations for many forms of infrastructure, although Section 106 agreements will continue to be used for affordable housing provision and can still be used for site-specific mitigation measures.

CIL can be used to fund a wide variety of infrastructure including:

- transport schemes;
- flood defences;
- schools, and community facilities; and,
- parks, green spaces and leisure centres.

## JCS CIL PDCS Consultation Report

As almost all development has some impact on the need for infrastructure, services and amenities, this tariff-based approach is seen as an effective, quicker and fairer framework to fund new infrastructure to support growth.

CIL is applied as a charge on each square metre of floor space in new buildings, with a minimum threshold of 100 square metres or a single dwelling. Some types of development are exempt, for example social housing and self-build housing, are eligible for 100% relief.

Rates of CIL will be set out in a document known as a 'Charging Schedule'. A Charging Schedule sets out a rate per square metre for all qualifying development. This involves consultation and independent examination.

### **Relationship between CIL and the Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury (JCS)**

Consultants, Peter Brett Associates, have assessed the scope for a CIL charge for each of the three JCS Councils (Cheltenham Borough, Gloucester City and Tewkesbury Borough) based on the JCS infrastructure and viability evidence.

### **Preliminary Draft Charging Schedule Consultation 29 May 2015 to 10 July 2015:**

Cheltenham Borough, Gloucester City and Tewkesbury Borough Councils are in the process of developing CIL charging schedules for their areas. The first stage of the CIL process is to consult on a Preliminary Draft Charging Schedule.

Legislation requires that each of the JCS Councils has its own charging schedule for CIL and therefore there is a Preliminary Draft Charging Schedule for each Council. We will use the comments we receive to inform the preparation of the next stage of the CIL, the Draft Charging Schedule.

Representation received to this consultation are currently being considered.

### **Consultation Documents**

The preliminary draft charging schedules and supporting documents are available below:

- [Cheltenham Borough Council Preliminary Draft Charging Schedule](#)
- [Gloucester City Council Preliminary Draft Charging Schedule](#)
- [Tewkesbury Borough Council Preliminary Draft Charging Schedule](#)
- [Comments form \(PDF\)](#)
- [Comments form \(word document\)](#)

### **Supporting Information**

- [Joint Core Strategy Viability Assessment Study Stage 1: Viability assessment of local development typologies/representative development schemes \(June 2014\)](#)
- [Joint Core Strategy Viability Assessment Study Stage 2: Viability testing of proposed strategic site allocations in the Pre-submission Joint Core Strategy \(March 2015\)](#)
- [Joint Core Strategy Viability Assessment Study Update of Stage 1 and Stage 3: Viability assessment of local development typologies/representative development schemes \(February 2015\)](#)
- [Joint Core Strategy Infrastructure Delivery Plan: Final August 2014](#)
- [CIL Viability Consultation Workshop Note - October 2014](#)

**JCS CIL PDCS Consultation Report**
**Appendix 2: Locations for viewing the Preliminary Draft Charging Schedules**

<b>DEPOSIT LOCATION</b>	<b>ADDRESS</b>
<b>COUNCIL OFFICES</b>	
<b>Gloucester City Council</b>	Herbert Warehouse, The Docks, Gloucester GL1 2EQ
<b>Cheltenham Borough Council</b>	Municipal Offices , The Promenade, Cheltenham GL50 9SA
<b>Tewkesbury Borough Council</b>	Gloucester Road, Tewkesbury, Gloucestershire GL20 5TT
<b>Gloucestershire County Council</b>	Shire Hall, Westgate Street, Gloucester GL1 2TG
<b>LIBRARIES</b>	
<b>Gloucester Central</b>	Brunswick Road, Gloucester GL1 1HT
<b>Cheltenham Central</b>	Clarence Street, Cheltenham GL50 3JT
<b>Tewkesbury Town</b>	Sun Street, Tewkesbury GL20 5NX
<b>Bishops Cleeve</b>	Tobyfield Road, Bishops Cleeve, Cheltenham GL52 8NN
<b>Brockworth</b>	Moorfield Road, Brockworth, Gloucester GL3 4ET
<b>Churchdown</b>	Parton Road, Churchdown , Gloucester GL3 2AF
<b>Winchcombe Library and Children's Centre</b>	Back Lane, Winchcombe, GL54 5PZ
<b>Hucclecote</b>	Hucclecote Road, Gloucester GL3 3RT
<b>Longlevens</b>	Church Road, Longlevens , Gloucester GL2 0AJ
<b>Matson</b>	Winsley Road, Gloucester GL4 6NG
<b>Quedgeley</b>	Bristol Road, Quedgeley, Gloucester GL2 4PE
<b>Tuffley</b>	Windsor Drive, Tuffley, Gloucester GL4 0RT
<b>Charlton Kings</b>	Church Street, Charlton Kings, Cheltenham GL53 8AR
<b>Hesters Way</b>	Goldsmith Road, Cheltenham GL51 7RT
<b>Prestbury</b>	The Burgage, Prestbury, Cheltenham GL52 3DN
<b>Up Hatherley</b>	Hulbert Crescent, Caernarvon Road, Up Hatherley Cheltenham GL51 3BW
<b>OTHER LOCATIONS</b>	
<b>Gloucester Tourist Information Centre</b>	28 Southgate Street, Gloucester GL1 2DP

**JCS CIL PDCS Consultation Report**

<b>Hesters Way Neighbourhood Project</b>	Community Resource Centre, Cassin Drive Cheltenham GL51 7SU
<b>Cheltenham West End Partnership</b>	Community Resource Centre, Grove Street, Cheltenham GL50 3LZ
<b>Brockworth Advice Centre</b>	Brockworth Community Centre, Brockworth GL3 4ET
<b>Churchdown Advice Centre</b>	Parton Road, Churchdown GL3 4NY
<b>Winchcombe Advice Centre</b>	Back Lane, Winchcombe, GL54 5QH
<b>Bishops Cleeve Advice Centre</b>	Council Offices, Church Road, Bishops Cleeve GL52 8LR

## JCS CIL PDCS Consultation Report

### Appendix 3: PDCS consultation email sent on 26 May 2015

Subject: **Re: Community Infrastructure Levy for Gloucester City, Cheltenham Borough, and Tewkesbury Borough: Preliminary Draft Charging Schedules**

Dear Sir/Madam

#### **Re: Community Infrastructure Levy, Preliminary Draft Charging Schedule**

You have received this email as your contact details are on our database of people who have previously commented upon or are interested in the Joint Core Strategy Councils' planning documents.

The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers undertaking building projects in their area to fund a wide range of infrastructure that is needed to support new development.

Rates of CIL will be set out in a document known as a 'Charging Schedule' which sets out a rate per square metre for all qualifying development. The first stage of the CIL process is to consult on a Preliminary Draft Charging Schedule, this sets out **initial** charge rates for CIL.

The purpose of this email is to:

1. Notify you that Cheltenham Borough, Gloucester City and Tewkesbury Borough have prepared Preliminary Draft Charging Schedules which set out initial charge rates for CIL. Legislation requires that each of the JCS Councils has its own charging schedule but these are aligned to deliver the best contribution toward infrastructure to support new development (e.g. the same CIL charges are proposed for strategic allocations that cross council boundaries).
2. Invite you to comment on the Preliminary Draft Charging Schedules. You can do this by post or email from **29 May 2015**.
3. Invite comments on the documents that have informed the preparation of the Preliminary Draft Charging Schedules.

## JCS CIL PDCS Consultation Report

There is a six week consultation and representations must be received no later than **5pm on 10 July 2015**. All comments received by the deadline will be considered, and will help to inform the preparation of the CIL: Draft Charging Schedules.

Representations on the draft Preliminary Draft Charging Schedules should be made via:

- By email to: [cil@gct-jcs.org](mailto:cil@gct-jcs.org)
- By post to: JCS Community Infrastructure Levy Team, Municipal Offices, Cheltenham, Gloucestershire, GL50 9SA

A copy of each Preliminary Draft Charging Schedule is attached. Documents and consultation material will be available via the JCS website ([www.gct-jcs.org](http://www.gct-jcs.org)) and at the locations set out in the attachment to this email.

Yours faithfully

The Community Infrastructure Levy Team

## JCS CIL PDCS Consultation Report

### Appendix 4: PDCS consultation letter sent on 27 May 2015

Ref: JCS Preliminary Draft Charging Schedule

26 May 2015

Dear Sir/Madam

**Re: Community Infrastructure Levy for Gloucester City, Cheltenham Borough, and Tewkesbury Borough, Preliminary Draft Charging Schedules**

**Consultation under Regulation 15 of the CIL Regulations 2010 (as amended).**

The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers undertaking building projects in their area to fund a wide range of infrastructure that is needed to support new development.

Rates of CIL will be set out in a document known as a 'Charging Schedule' which provides a rate per square metre for all qualifying development. The first stage of the CIL process is to consult on a Preliminary Draft Charging Schedule which sets out the **initial** charge rates for CIL.

The purpose of this letter is to:

4. Notify you that Gloucester City, Cheltenham Borough and Tewkesbury Borough have prepared Preliminary Draft Charging Schedules which set out initial charge rates for CIL. Legislation requires that each of the JCS Councils has its own charging schedule but these are aligned to deliver the best contribution toward infrastructure to support new development (e.g. the same CIL charges are proposed for strategic allocations that cross council boundaries).
5. Invite you to comment on the Preliminary Draft Charging Schedules. You can do this by post or email from **29 May 2015**.



## JCS CIL PDCS Consultation Report

6. Invite comments on the documents that have informed the preparation of the Preliminary Draft Charging Schedules.

There is a six week consultation and representations must be received no later than **5pm on 10 July 2015**. All comments received by the deadline will be considered, and will help to inform the preparation of the CIL: Draft Charging Schedules.

Representations on the draft Preliminary Draft Charging Schedules should be made via:

- By email to: [cil@gct-jcs.org](mailto:cil@gct-jcs.org)
- By post to: JCS Community Infrastructure Levy Team, Municipal Offices, Cheltenham, Gloucestershire, GL50 9SA

Documents and consultation material will be available via the JCS website ([www.gct-jcs.org](http://www.gct-jcs.org)) and a hard copy of each Preliminary Draft Charging Schedule will be available for viewing at the locations set out below.

Yours faithfully

The Community Infrastructure Levy Team

### Locations for viewing the Preliminary Draft Charging Schedules

DEPOSIT LOCATION	ADDRESS
<b>COUNCIL OFFICES</b>	
<b>Gloucester City Council</b>	Herbert Warehouse, The Docks, Gloucester GL1 2EQ
<b>Cheltenham Borough Council</b>	Municipal Offices , The Promenade, Cheltenham GL50 9SA
<b>Tewkesbury Borough Council</b>	Gloucester Road, Tewkesbury, Gloucestershire GL20 5TT
<b>Gloucestershire County Council</b>	Shire Hall, Westgate Street, Gloucester GL1 2TG
<b>LIBRARIES</b>	

**JCS CIL PDCS Consultation Report**

<b>Gloucester Central</b>	Brunswick Road, Gloucester GL1 1HT
<b>Cheltenham Central</b>	Clarence Street, Cheltenham GL50 3JT
<b>Tewkesbury Town</b>	Sun Street, Tewkesbury GL20 5NX
<b>Bishops Cleeve</b>	Tobyfield Road, Bishops Cleeve, Cheltenham GL52 8NN
<b>Brockworth</b>	Moorfield Road, Brockworth, Gloucester GL3 4ET
<b>Churchdown</b>	Parton Road, Churchdown , Gloucester GL3 2AF
<b>Winchcombe Library and Children's Centre</b>	Back Lane, Winchcombe, GL54 5PZ
<b>Hucclecote</b>	Hucclecote Road, Gloucester GL3 3RT
<b>Longlevens</b>	Church Road, Longlevens , Gloucester GL2 0AJ
<b>Matson</b>	Winsley Road, Gloucester GL4 6NG
<b>Quedgeley</b>	Bristol Road, Quedgeley, Gloucester GL2 4PE
<b>Tuffley</b>	Windsor Drive, Tuffley, Gloucester GL4 0RT
<b>Charlton Kings</b>	Church Street, Charlton Kings, Cheltenham GL53 8AR
<b>Hesters Way</b>	Goldsmith Road, Cheltenham GL51 7RT
<b>Prestbury</b>	The Burgage, Prestbury, Cheltenham GL52 3DN
<b>Up Hatherley</b>	Hulbert Crescent, Caernarvon Road, Up Hatherley Cheltenham GL51 3BW
<b>OTHER LOCATIONS</b>	
<b>Gloucester Tourist Information Centre</b>	28 Southgate Street, Gloucester GL1 2DP
<b>Hesters Way Neighbourhood Project</b>	Community Resource Centre, Cassin Drive Cheltenham GL51 7SU
<b>Cheltenham West End Partnership</b>	Community Resource Centre, Grove Street, Cheltenham GL50 3LZ
<b>Brockworth Advice Centre</b>	Brockworth Community Centre, Brockworth GL3 4ET
<b>Churchdown Advice Centre</b>	Parton Road, Churchdown GL3 4NY
<b>Winchcombe Advice Centre</b>	Back Lane, Winchcombe, GL54 5QH
<b>Bishops Cleeve Advice Centre</b>	Council Offices, Church Road, Bishops Cleeve GL52 8LR

## JCS CIL PDCS Consultation Report

### Appendix 5: Press Notice for PDCS Consultation

#### Community Infrastructure Levy

**Notice of publication of the Preliminary Draft Charging Schedule Consultation for Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils.**

**Regulation 15 of the CIL Regulations 2010 (as amended)**

#### Consultation

The Councils are seeking your comments on the Preliminary Draft Charging Schedules for the Community Infrastructure Levy. The schedules set out the proposed charging rates for developments in Gloucester City, Cheltenham Borough and Tewkesbury Borough and are the first round of consultation. Legislation requires that each of the JCS Councils has its own charging schedule but these are aligned to deliver the best contribution toward infrastructure to support new development (e.g. the same CIL charges are proposed for strategic allocations that cross council boundaries).

The consultation is from 29 May 2015 until **5pm on Friday 10 July 2015**. Documents and consultation material can be viewed on the JCS website ([www.gct-jcs.org](http://www.gct-jcs.org)), at each of the Council offices, libraries and other locations during opening hours (further details are available on the JCS website).

#### How to comment:

Representations should be made in writing by 5pm on Friday 10 July 2015, either:

- By email to [cil@gct-jcs.org](mailto:cil@gct-jcs.org)
- By post to: JCS Community Infrastructure Levy Team, Municipal Offices, Cheltenham, Gloucestershire, GL50 9SA

## JCS CIL PDCS Consultation Report

### Appendix 6: PDCS Consultation Report including summary of PDCS consultation responses

No.	Respondent	Summary of Response	JCS Councils' Response
<b>Question 1: Do you agree with the Joint Core Strategy viability evidence?</b>			
3	MD Gladstone  Commenting on Gloucester PDCS	<b>Yes</b>	Noted
5	Capt B Glover	<b>No</b> Document assumes that large scale development is desirable	The document proposes CIL rates for the strategic allocations identified in the Joint Core Strategy
19	Gloucestershire County Council as landowner  Commenting on Cheltenham & Tewkesbury PDCS	<b>No</b> Landowners unlikely to accept £75,000 and £150,000 with the prospect of residential development. Unrealistic that 50% of the excess land value would be CIL, would deter owner from selling.  The base land value does not sufficiently vary to take account of the sales values. The SW Cheltenham land base value should be at least £250,000 per developable acre. If costs adjusted for construction (£100 per sqm), professional fees (10%) and include road costs, maximum contribution would be £120 per sqm.	2 meetings with agents, developers, house builders undertaken and discussed the land values that land owners in the market are expecting to receive for their land reflecting the planning position as at the date of assessment. No comparable evidence has been provided to disprove that the values adopted are unrealistic.  The Site Values reflect the notional schemes taking into account the planning position, size of each site, and location.

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Should account for gross to net ratio of the developable area. NW Cheltenham site where only 30% of the site will be developed should have a lower base value per acre than South West Cheltenham where the proportion will be around 60%</p> <p>Should assess infrastructure costs for the development and assess what the development can afford.</p> <p>CIL of £500 per sq metre contribution on site A6 is disproportionate, approximately £40,000 per market dwelling. The current s106 would be closer to £12,000 per market dwelling.</p>	<p>Site values also reflect net developable area (although the NDA assumptions may be amended following the September 2015 JCS Strategic Allocation infrastructure/Viability meetings with developers).</p> <p>The Phase 2 viability assessment will include indicative costs for known infrastructure requirements for the strategic allocations</p>
23	<p>County Council</p> <p>Officer level response on a range of GCC services and infrastructure providers</p>	<p><b>No</b></p> <p>It would be helpful to have a clearer explanation of the reasons for wide variations in CIL levels. Support finer-grained viability analysis, might sustain a CIL charges for Gloucester City in certain areas.</p> <p>Financial contributions for County Council infrastructure have averaged £5million p.a. in the JCS area. Provision in kind (for example 5 recently secured primary schools, highways works etc.) increases this. Governance arrangements are critical to the County Council in supporting the introduction of CIL</p>	<p>Variations in CIL rates reflect variations in sales values. Finer grained viability analysis will be carried out.</p> <p>Noted</p>
24	<p>Bloor Homes Western &amp; Persimmon</p>	<p><b>No</b></p> <p>Stage 1 report</p>	

## JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
	<p>homes LTD (site A5)</p> <p>Submitted by Rob White, Whitepeak Planning</p> <p>Responding to Cheltenham &amp; Tewkesbury Borough PDCS</p>	<ol style="list-style-type: none"> <li>1. Generic residential CIL rates £70/sqm are more appropriate than those suggested for Strategic Sites.</li> <li>2. Residential Market Values and Construction Cost Assumptions are already dated.</li> <li>3. Abnormals Few sites have no abnormal costs, Greenfield at £0 per acre is not reasonable</li> <li>4. Professional Fees for small and medium sites 8% is more realistic.</li> <li>5. Developer's Profit @ 17.5% - Most house builders operate at 11-13% of turnover &amp; 6% for affordable. 21% and 6% would be more realistic for the smaller sites.</li> <li>6. Sales Rates could be far higher than assumed in report.</li> <li>7. Site acquisition and disposal costs are far longer (10+yrs) for strategic sites and hence finance costs increase significantly.</li> </ol> <p>Stage 2 Report (March 2015) – Viability Testing of Proposed Strategic Allocations</p> <ol style="list-style-type: none"> <li>1. The assessment omits S106/S278 and CIL costs. Figures for Northwest Cheltenham are inaccurate based on the developers' Cost Plan report</li> </ol>	<ol style="list-style-type: none"> <li>1. CIL rates reflect the viability appraisal for the location/notional scheme</li> <li>2. Values/costs reflect date of appraisal, sensitivity testing will assess impact of increases/decreases</li> <li>3. PBA to consider whether £0 per ha appropriate generic residential greenfield</li> <li>4. Average professional fees range from around 5% to 8%, therefore 6% is considered reasonable based on DVS experience of similar schemes</li> <li>5. Developer profit as at the assessment date ranged from 15% to 20% for open market units. 17.5% reflects the perceived risks taken by the notional purchaser/house builder/developer, the circumstances of the site and proposed scheme, as well as prevailing market conditions.</li> <li>6. Sales rates reflect averages</li> <li>7. All the strategic development schemes are based on current values and costs, with whole sites assumed to have been purchased by a notional purchaser at a point in time. However, most developers/house builders will draw down and purchase large strategic sites on a phase by phase basis, which allows them to offset finance costs</li> </ol> <ol style="list-style-type: none"> <li>1. Additional site specific information provided at the September 2015 JCS Strategic Allocations infrastructure &amp;</li> </ol>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<ol style="list-style-type: none"> <li>2. Does not recognise long-term financing costs and financial risks for Strategic Developments. 10-12 year period before a positive return on investment site A5.</li> <li>3. The Infrastructure Delivery Plan (IDP) estimates some excluded costs and could have informed the viability appraisal.</li> <li>4. Affordable Housing 70%/30% split for Affordable Rent/Social rent tenure &amp; type needs to be more flexible to achieve 40% provision. No allowance for any Shared Ownership or Low Cost for Sale</li> <li>5. Contingency: 3% is insufficient for a strategic site contingency should be at least 4.5% due to unknown/uncontrollable external factors for a 15 year build.</li> <li>6. Professional Fees: 6% insufficient for Strategic Sites with long lead-in periods and multiple issues, suggest 9.5%</li> <li>7. Developers' Profit is based on unrealistic certainty. Does not account for substantial risks, WIP and holding costs already incurred. 23% gross profit is more reasonable, Northwest Cheltenham not forecast to be cash positive for 10+ years.</li> <li>8. No allowance for holding costs is unrealistic based on the need to assemble multi-land owner sites. Land owner agreement cannot be finalised until planning consent and clarity on planning obligations and costs has been achieved.</li> <li>9. Northwest Cheltenham Gross Dev Site Area at 215 hectares and residential area at 134.14 hectares, does not accord with the draft Masterplan for the allocation, circa 113 ha of green infrastructure.</li> </ol>	<p>viability meetings will be considered in further viability appraisal</p> <ol style="list-style-type: none"> <li>2. As point 7 above, prudent approach with an assumption that whole site is purchased at the outset</li> <li>3. Noted, the further viability work will consider whether to include known infrastructure costs</li> <li>4. Noted, further viability work includes revised assumptions for affordable housing tenure split</li> <li>5. 3% contingency reflects the possibility that construction costs may increase. Market tolerances for contingency provision are 2% to 5%, although are assessed on a scheme by scheme basis, reflecting available information. Having regard to the adopted construction costs assessed for each notional strategic development scheme, DVS opinion is that 3% contingency is sufficient given DVS experience of similar schemes.</li> <li>6. Consider that 6% professional fees allowance sufficient given DVS experience of similar schemes</li> <li>7. See response to point 5 re profit for stage 1 schemes</li> <li>8. DVS advice, cannot include holding costs unless developers provide specific information. Question was raised at each of the September 2015 JCS Strategic Allocation infrastructure &amp; viability meetings. PBA Viability report will review overall costs associated with such development.</li> <li>9. Net development area reflects JCS evidence base, may be revised if additional information is provided by developers.</li> </ol>

JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>10.Optimistic to think that 215 hectares of green field land will be sold by landowners at Northwest Cheltenham for £75k per acre thus allowing £52 million to be spent on CIL/S106. At this level landowners won't sell.</p> <p>11.Too many open market flats (circa 600) for Northwest Cheltenham and too low few affordable flats.</p>	<p>10.PBA Viability report includes benchmark/threshold land value for NW Cheltenham of £730,000 p ha (~£300,000 per acre.</p> <p>11.The housing mix reflects average delivery over a period of time and therefore is considered appropriate as the site will be delivered over a number of economic cycles</p>
25	<p>Redrow Homes in relation to the TBC part of strategic site A6 commenting on TBC PDCS only</p> <p>Submitted by Jane Fuller Origin3</p>	<p><b>No</b></p> <p><b>Sales values:</b> have been over-estimated for A6. At the higher end of the range for Cheltenham, justification is not properly explained. Western part of site is in Tewkesbury, sales values are substantially higher for a typical Tewkesbury stage 3 property. Redrow's expectations for sales values are not based on highest end of Cheltenham, provides alternative values (P.3 no justification and are lower than those in site A6 consortium which Redrow are part of on P.33 of that submission).</p> <p><b>Site values:</b> Unclear why site for A6 is £150,000 per gross acre, when table 27 in stage 1 and 3 report assumes £200,000 per gross acre for Cheltenham and majority of the site is in Cheltenham. Gross under estimate that does not account for uplift in value for site with long standing emerging plan allocation. Redrow's site value expectations are in the region of £500,000-£600,000 per gross acre (again, varies from A6 consortium, P35, minimum of £250,000 per gross acre).</p>	<p><b>Sales Values:</b> There were limited new build schemes to provide evidence but also considered second hand values in the locality which average approx. £3376 per sq. m. A 5% uplift was taken into account for new build and an average of £3,529 per sq. m was adopted. DVS advise, sales evidence is now 12 months out of date and ideally should be updated and take account of any relevant new schemes in the locality.</p> <p><b>Site Values:</b> Expectations for site value differ from other developers/landowners associated with the site. Note PBA benchmark/threshold land value for this site £800,000 per ha (£323,000 per acre).</p>



JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p><b>S106 &amp; abnormals:</b> Redrow's costs for abnormals are £30,000 per plot, rather than £30,000 per hectare (again, different to A6 consortium, £25,000 p.37). Contrary to NPPG advice that existing data should be used where available. E.g. current archaeological costs for site A6 are in the region of £500,000. Due to uncertainty about costs, may councils exclude large strategic sites from CIL, e.g. Stroud.</p> <p><b>Construction costs:</b> Need to factor in increases.</p> <p><b>Profit:</b> 20% more appropriate.</p> <p><b>Headroom assumptions:</b> Inflated due to high sales, low site value/abnormals. 40% affordable housing would have a deflationary impact on sales values.</p>	<p><b>S106 &amp; abnormals:</b> Assessment is based on the best available evidence at the time it was carried out.</p> <p><b>Construction costs:</b> Noted, sensitivity testing proposed</p> <p><b>Profit:</b> See comments above for respondents 19 &amp; 24</p> <p><b>Headroom assumptions:</b> Reflect the current viability appraisal, adjustments will be made if required by further viability appraisal.</p>
27	<p>Redrow (land holdings across the JCS area)</p> <p>Submitted by Ian Stevens Savills</p>	<p><b>No</b></p> <p>General concerns:</p> <p>Availability of information: cannot review viability calculations and fully scrutinise evidence.</p> <p>Development typologies for generic sites: No details of the hypothetical sites or rationale for choosing. Should be informed by monitoring information or emerging Local Plans</p>	<p>Methodology employed by DVS has been explained and is the approved viability analysis.</p> <p>Site typologies have been reviewed to ensure they reflect sites likely to come forward during the plan period, informed by emerging Local plans and Strategic assessment of land availability for each councils.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Bespoke nature of S106 allows for phasing of infrastructure and more appropriate for strategic sites. Provides certainty for site promoters/developers on costs. CIL is effective for smaller sites where there is limited impact on infrastructure and little on-site provision.</p> <p><b>Key assumptions</b>  <b>Profit</b>                      Immediately available sites: Should be 20% profit on GDV                      Large strategic greenfield: flawed, not appropriate level of profit for the risks of development. Suggest a 2 stage assessment, ROCE/IRR for promotion phase and then GDV. Endorsed by Harman guidance at Appendix B</p> <p><b>Professional Fees</b>                      6-8 % is an under-estimate for all professional costs. Refers to Appendix B Harman Guidance advice.                      Smaller sites: 10%                      Strategic sites: at least 12% of build costs because of significant planning promotion costs</p> <p><b>Build costs</b>                      Query whether GIA of garages factored into the floorspace assumptions. Consideration of non-standard costs e.g. demolition, abnormal foundation, flood alleviation, land stabilisations. Decontamination.</p>	<p>Noted. The draft charging schedule will assess the most appropriate mechanism for infrastructure delivery, informed by available site specific information.</p> <p><b>Profit:</b> See comments above for respondents 19 &amp; 24                      Note PBA Viability report includes 20% developer profit.</p> <p><b>Professional Fees:</b> Average professional fees range from around 5% to 8%, therefore 6% is considered reasonable based on DVS experience of similar schemes</p> <p><b>Build costs:</b> GIA of garages is included in floorspace assumptions, however, only 4+ bed dwellings were assumed to have garages. PBA analysis included garages on 3-bed homes.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p><b>Sales Values</b> Some sales values too high, query whether these are asking rather than sales prices Unclear where sales data has been sourced from, over what timeframe and whether mean or median figures have been used. Need further evidence of the schemes used to provide comparable evidence, prior to publication of the draft charging schedule. Do not agree that large strategic sites attract a premium over smaller sites. Often lower due to mass release of houses.</p> <p><b>S278 &amp; Residual S106 costs</b> No assessment of existing S106 obligations to establish how much of each obligation type would still be relevant if CIL had been in place. Will vary with quantum and location of development and therefore will vary in the typologies Change methodology to incorporate reasonable cost assumptions for S106/278 (based on IDP)</p> <p><b>Land Values</b> No clear justification for the range of sites values used Reasonable land value assumptions should be made for all site typologies, including SA's, should be a premium over current or alternative use value Theoretical threshold value for agricultural land does not take account of planning status. If greenfield land has planning</p>	<p><b>Sales Values</b> The sales values are based on evidence from the DVS internal data base (DVS receive all Land Registry sale information as to the current values of all property types reflecting the locations of the sites in the JCS) and external sources. i.e. Rightmove, etc. The data relates to sales during the 12 months prior to the date of the assessment. DVS experience is that new build typically produce a 5% premium.</p> <p><b>S278 &amp; Residual S106 costs</b> Included in PBA Viability report</p> <p><b>Land Values</b> See PBA Viability report and updated land values.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>permission, a profit of 20-25% is reasonable. If no planning permission, additional profit margin should be factored in to reflect the planning risk.</p> <p><b>Build cost contingency</b> 3% for stage 2 strategic sites, unclear whether factored in for stage 1 &amp; 3. Important to include for generic development typologies if it is assumed that each site is accessible, fully serviced and ready for development Unclear as to how 3% has been derived. 5% is the industry norm and assumed in other CIL charging schedules</p>	<p><b>Build Cost Contingency</b> DVS advised at meeting on 5 August that contingency was included for stage 1 and Stage 3 update. PBA Viability report included 4% contingency as seen as standard across the industry.</p>
28	<p>Robert Hitchins Ltd</p> <p>Commenting on commercial schemes, submitted by Mark Buxton, CGMS</p>	<p><b>No</b> Retail rate of £150 sqm is too high, when compared to neighbouring authorities. South Worcs, PDCS CIL rate of £100 sqm for food retail and retail warehouses, £0 for other shops.</p> <p>Query why the rate is the same across the 3 councils.</p> <p>Stage 1 and the update only consider a limited range of commercial developments, only 5 (2 x mixed retail with a max of 560sqm and 3 x B1/B2 schemes). No assessment of B8 or any other commercial development.</p> <p>Stage 3: 12 commercial schemes. Table 18: unclear whether commercial costs are based on gross or net floor space.</p>	<p>The retail rate is based upon the viability evidence.</p> <p>PBA Viability recommendation for CIL is £100 per sq m where appropriate based upon analysis.</p> <p>Industrial/warehouse use was considered at stage 3</p> <p>Whilst the values are based on a net area, costs are based on a gross area. Note that the DVS report includes a net to gross basis of 95% as typical on the average commercial scheme.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Inputs for commercial schemes unclear, need clarification on methodology &amp; how total GDV &amp; GDC figures in appendix 3 have been calculated. Unclear how rental values, yields and rent free periods in table 13 translate into the GDV recorded in Appendix 3. Assume other identified costs (e.g. professional fees and acquisition/disposal costs) are accounted for in gross development costs.</p> <p>With the exception of sheltered accommodation in Cheltenham, non-retail schemes are deemed not viable. Query why as relative values and costs for retail and other commercial developments are similar.</p> <p>Commercial schemes in Appendix 3 are gross floorspace, while same schemes in Table 13 are in net floorspace. Conversion ratio appears to be 95% gross/net, for retail schemes (1-5) unrealistically high, especially for larger developments.</p> <p>Assuming data is correct, RLV is considerably higher for Cheltenham than Tewkesbury &amp; Gloucester, up to 6.9 times greater for central convenience retailing. Also a range of different RLV's for retail development from £1.0737 million per ha (Tewkesbury out of centre convenience retail) up to £13.3671 million per ha (Cheltenham central convenience retail). Single CIL for retail does not reflect the viability evidence.</p> <p><b>Queries</b></p>	<p>Rents and yields used are based on evidence obtained and are representative of the average for each Council area as detailed in table 13.</p> <p>Yes, this is documented in main body of the report.</p> <p>Relative values are significantly lower for non-retail uses.</p> <p>See comments above, a clarification note will be provided.</p> <p>See PBA Viability report for clarification.</p>

## JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Why Tewkesbury enjoys a relatively higher rental value per sqm than Gloucester, but a weaker yield, and yet the same proposed CIL rate (Table 13);</p> <p>How the External Rates have been derived for the Stage 3 schemes, and whether these costs should be different for the 3 areas – e.g. a higher rate for Tewkesbury to reflect the flood risk (Table 20);</p> <p>How the Developers' Profit has been calculated for the Stage 3 commercial schemes – the rates appear somewhat arbitrary - e.g. 20% on commercial schemes but only 10% on care home schemes (paragraph 7.9.8).</p> <p>Stage 2 assessment: site A9 Ashchurch has not been fully or overtly tested. The Stage 2 assessment notes that a B1/B2/B8 development scheme would not be viable having regard to current commercial rental values, yields, and construction costs. Viability has then seemingly been artificially manufactured for this development option by assuming a market value of £250,000 per acre (paragraphs 7.13.3, 11.10.1</p>	<p>Rents and yields used are based on evidence obtained and are representative of the average for each Council area as detailed in table 13.</p> <p>External works do not include for any abnormal as these are notional schemes but include for external works is to cover the main infrastructure serving the site including roads, footpaths, street lighting, paths and pavings to the dwellings, utility services infrastructure and in addition connection charges to the dwellings, foul and surface water drainage to both dwellings and roads, soft landscaping to the dwellings and any open spaces.</p> <p>20% profit on cost for all retail and office schemes whilst 10% on value for Care Homes, 20% on value for sheltered schemes and 15% on value for student schemes and Budget Hotels. Profit reflects risk, Care Homes, Student accommodation and Budget Hotels likely to be developed with an end user, lower risk.</p> <p>Site A9 has been assessed on a serviced employment land value basis adopting £250,000 per gross acre, on the assumption that planning permission has been granted for B1a &amp; b (offices, research and development), B2/B1c (general/light industrial), and B8 (storage and distribution) land uses as at the date of assessment.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>and 12.4) to generate a surplus. This compares to a benchmark site value of £150,000 per gross acre for the site (Table 6). Clarification is required.</p>	<p>The Market Value calculated at £8,802,500 based on 35.21 acres/ 14.25 hectares has been benchmarked against the Site Value of £5,280,000 reflecting the allocation in the Joint Core Strategy report. date The Site Value of £5,280,000 reflects £150,000 per gross acre</p> <p>The original notional scheme tested, resulted in an unviable scheme, and a copy of the appraisal confirming the commercial scheme tested can be provided. PBA Viability report has tested in general commercial schemes to which this would apply.</p>
29	<p>Robert Hitchens Ltd</p> <p>Commenting on residential CIL rates, submitted by Zoe Stiles, Pioneer Property Services Ltd</p>	<p><b>No</b></p> <p>40% affordable housing and critical/essential infrastructure is not demonstrated by Councils evidence base to be viable on large greenfield/strategic sites. Does not reflect the full burden for large sites and the assessment does not include sensitivity testing.</p> <p>Viability concerns about the cumulative impact of affordable housing targets and CIL/S106 infrastructure costs. Viability appraisal overstates the ability of the developments to fund AH, CIL/S106. RHL would welcome the opportunity to discuss concerns with the JCS councils. The viability workshops events are not suitable for such discussion due to confidentiality issues.</p>	<p>As set above, further viability work to consider including costs of known infrastructure requirements. Sensitivity testing also proposed.</p> <p>Meetings held 21/22 September 2015.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Emerging policy and CIL requirements need to be informed by viability assessment to ensure that landowners remain incentivised to sell. It should not simply be assumed that land owners will accept ever reducing land values to reflect emerging policies and CIL charges.</p> <p>The viability assessment does not test the impact of infrastructure and cumulative policy/CIL burdens upon large and strategic sites. Ignores current market evidence on appropriate profit margins on strategic sites which carry a very different risk profile to the smaller developments. Furthermore, the viability evidence does not undertake cost increase sensitivity testing (despite an emerging Plan period which is likely to span different economic cycles), question the viability of the affordable housing targets on larger Greenfield sites.</p>	<p>Considerable viability work already undertaken and additional proposed.</p> <p>Check whether PBA agree with DVS opinion on profit margins?</p>
30	<p>Barwood Development Securities Ltd</p> <p>submitted by Keith Fenwick, WYG</p> <p>Barwood have interests in land of Winnycroft Lane, Matson,</p>	<p><b>No</b></p> <p>Barwood has commissioned a detailed viability assessment of the Winnycroft Lane development. Supports Gloucester nil rate for residential development, findings, reflect the viability assessment for Winnycroft Lane. Viability deficits based on meeting the Section 106 contributions before affordable housing is taken into account. Any affordable housing would negatively impact the viability of the scheme.</p> <p>Allowance of 17.5% of standard construction costs on all residential sites for 'Externals'. This is appropriate for just 'plot' externals (i.e. the cost of infrastructure, gardens, street lighting,</p>	Noted



**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	Gloucester, application for approximately 420 units, submitted September 2014 (14/01063/OUT).	kerbs, roadways etc. related to individual plots of residential land). As this allowance would also cover site-wide external works, it is grossly insufficient.  Zero allowances for site specific abnormal costs unrealistic. Every development site will have some abnormal costs; in many cases these will be significant.	DVS opinion, impossible to ascertain as to the presence of abnormal with any site delivered in line with appraised development typologies. Assumption is 0% for abnormal on greenfield for greenfield small sites. Within PBA Viability report, abnormal have been 'included' where applicable within the land values.
33	Peel holdings (Land and Property Limited)  Submitted by Tristan Hutton WYG	<b>Yes</b>  Agree with the retail viability conclusions but reservations about methodology and evidence. Agree that retail development viability is far better in Cheltenham than Tewksbury and residual land values in Cheltenham almost treble Gloucester. Viable retail warehouse development in Gloucester, can only support £1,096,553 per hectare, while in Cheltenham can support £2,803,167 per hectare. This reflects the differential in viability of retail warehouse development between the Local Authority areas. Evidence is not utilised to support differential CIL rates.	This issue will be assessed at the draft charging schedule stage
34	Site A6 developer consortium: Bovis Homes, David Wilson	<b>No</b>  Request that full copies of the DVS appraisals be provided in advance of the next consultation so that assumptions can be tested and to enable parties to comment on them.	PBA Viability report has reviewed this site.

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	<p>homes, Miller Strategic and Redrow Homes</p> <p>(submitted by Ian Stevens, Savills)</p> <p>Commenting on Cheltenham &amp; Tewkesbury PDCS</p>	<p>JCS IDP identifies locality infrastructure requirements, essential costs for development, should include in development costs. A reasonable cost assumption should be included for S106 planning obligations and infrastructure items, based on the IDP. Output should be used determine that level of AH.</p> <p><b>Land Values</b> Disagree with BLV: £150,000 per gross developable acre. Provide information on option agreements (Leckhampton £280,000 per gross acre, Gotherington £250,000 per gross acre &amp; 5 elsewhere in southern UK). Examples are pre CIL. Suggest a minimum of £250,000 per gross acre</p> <p><b>Sales Values</b> Disagree. Rely on sales values from a site due to launch in North Cheltenham, indicates following differences 2 bed flat: 6% less, 2 bed house 18% less, 3 bed house: 7% less, 4+ bed house, 16% less (location not specified). Larger development sites may be lower due to mass release of homes. Suggest sales value £300 per sqm rather than £328, i.e. 8% lower &amp; request additional testing.</p> <p><b>Dwelling sizes</b> Concern garages only included for 4 bed units Clarify whether garages included in GIA for dwellings</p> <p><b>Net developable area</b></p>	<p>Further viability will include known infrastructure costs</p> <p><b>Land Values:</b> PBA Viability report updates land values.</p> <p><b>Sales Values:</b> Site A6 had few recent new build developments at time of the previous assessment. Next stage assessment will take account of latest evidence on sales.</p> <p>DVA work included garages in GIA but only for 4 bed units – PBA viability report included garages for 3 bed homes.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Disagree with 70%, site A6 masterplan, 46% developable net site area. Agree with calculation of land value, gross area multiplied by a gross BLV.</p> <p><b>Holding costs</b> There are significant known holding costs for strategic sites</p> <p><b>Code for sustainable homes</b> No allowance for Policy SD4</p> <p><b>Site preliminaries</b> Should allow for preliminaries, site preparation and other opening costs which are significant for strategic sites.</p> <p><b>Abnormals</b> Consortium indicate that £25,000 per plot is anticipated as a reasonable level for abnormal costs on site A6. £30,000 per gross hectare is a significant underestimate</p> <p><b>Contingency</b></p>	<p>Developers invited to provide further information.</p> <p>Developers invited to provide further information.</p> <p>Policy SD4 will have minimal impact on build costs. The Policy relates to energy efficiency and siting of the development, energy efficiency will be achieved by complying with the current Building Regulations Part L 2013, anticipated construction costs reflect these. Siting of the development will also have minimal impact on construction costs.</p> <p>Preliminaries are added onto the allowances for both the build costs and external works. Preliminaries are all the site costs that are attributable to constructing the development, which includes site management, site accommodation, temporary services, security, safety and environmental protection, mechanical plant, temporary works, removing rubbish, insurances, bonds and guarantees.</p> <p>Developers invited to provide further information.</p>

JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Minimum of 5% of build cost is industry standard</p> <p><b>Professional fees</b> Reference to Harman report 10% for generic, 12% for strategic sites</p> <p><b>S106/S278 Costs</b> Disagree with S106 costs being excluded. CIL will not contribute to on-site mitigation. S106 costs should be included as essential to ensure the delivery of the strategic allocation. Unclear as to what 30% buffer reflects in terms of S106 and S278.</p> <p><b>Profit</b> Disagree with 17.5%. Does not take account of minimum rate of return for shareholders. Include a report on competitive developer return. Large up front costs impact on developer's required rate of return on capital employed due to higher risk.</p>	<p>See response above</p> <p>See response above</p> <p>Consideration being given to including known infrastructure costs for strategic allocations for phase 2 viability.</p> <p>See response above</p>
<p><b>Question 2:</b></p> <p>Do you agree that the CIL Rates proposed (per square metre) strike an appropriate balance between the desirability of funding infrastructure through CIL and associated economic viability?</p>			
3	MD Gladstone	<b>No</b>	

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	Commenting on Gloucester PDCS	Difference between Gloucester and Cheltenham/Tewkesbury is excessive, suggest a 10% admin charge.	The difference is based on the current viability evidence, in accordance with the CIL Regulations
5	Capt B Glover	<b>No</b> Questions are based on an unproven assumption	Questions are based on CIL legislation and guidance
11	Highways England	Concerns as to how necessary infrastructure to support employment development is to be funded. Surprised that CIL rate for residential development in Gloucester is £0 and concerned about implications for strategic infrastructure which still needs to be delivered.	Noted. The CIL rates are based on the current viability evidence. CIL is not the only mechanism for securing funding for infrastructure funding. Other sources of infrastructure will also be explored.
19	Gloucestershire County Council as landowner  Commenting on Cheltenham & Tewkesbury PDCS	<b>No</b> CIL rate for A6 is disproportionate compared to the other comparable sites in the JCS. Does not represent the cost of providing the extra services required.	Further viability work will consider whether to include cost of known infrastructure requirements in the assessment .
23	Gloucestershire County Council  Officer level response on a range of GCC services and	<b>No</b> Concerns about the reliance on the IDP, which for transport analysis is predicated on out-of-date RSS assumptions. Concerns that infrastructure costs are likely to be significantly higher than those in the IDP.  This is particularly the case for Education (currently estimated at £89m) and Waste infrastructure (not currently costed). In	Noted. CIL is one mechanism of contributing towards the infrastructure gap. Further viability work will consider whether to include cost of updated infrastructure requirements in the assessment of individual strategic site allocations .

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	infrastructure providers	the case of education facilities costs of actual schools delivered and enhanced analysis of potential impact can be provided by GCC to refine any standard assumptions built into the IDP.	
24	<p>Bloor Homes Western &amp; Persimmon homes LTD</p> <p>Submitted by Rob White, Whitepeak Planning</p> <p>Responding to CBC &amp; TBC PDCS</p>	<p><b>No</b></p> <p>Unclear what will be funded through S106/S278/ or Planning Condition, therefore impossible to comment on appropriateness of the CIL rates. No information on 'development specific mitigation works on or directly related to a development site' appears open-ended and likely to 'double-count' items listed as covered by CIL. Insufficient detail and lack of clarity over time-periods that obligations would be required to provide for.</p> <p>No justification for Strategic Site A5 to be levied at the higher rate of £110/sqm as for developments of 10 units and under in Cheltenham, as opposed to the £70/sqm rate for developments of 11 units and over elsewhere in Cheltenham.</p> <p>Elsewhere large strategic sites are often getting a zero CIL levy because of the substantial on-site costs of infrastructure provision. Site A5 has over £90 million in on site infrastructure costs that smaller sites don't have.</p>	<p>CIL rates reflects evidence available at assessment date, known S106/S278 costs may be factored if available.</p> <p>Recommended levy rates reflect current viability evidence</p> <p>Further consideration of appropriate mechanisms for funding site specific infrastructure, i.e. through S106 or CIL, to be undertaken for the draft charging schedule</p>
25	Redrow Homes in relation to the TBC part of strategic site A6	<p><b>No</b></p> <p>Rate of £500 per sqm for site A6 is significantly higher than the rate for other strategic sites, may create future delivery problems.</p>	CIL rate reflects current viability evidence.

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	commenting on TBC PDCS only		
27	Redrow  Submitted by Ian Stevens Savills	<b>No</b> JCS councils currently under delivering on housing, need to increase delivery to address shortfall, CIL threatens to add a significant further burden on housing delivery, should take a cautious approach to CIL, use a worst case scenario and significant buffer	Concerns noted. Councils will need to demonstrate at examination that rates strike an appropriate balance. CIL rates reflect current viability evidence but will be reviewed for draft charging schedule to take account of updated viability evidence.
28	Robert Hitchens Ltd  Commenting on commercial schemes, submitted by Mark Buxton, CGMS	<b>No</b> Concerned that the proposed rate for retail schemes, which are often subject to large S106 contributions, will be unviable. Insufficient clarity in the IDP and Reg 123 list on split between S106 and CIL costs.	Noted
29	Robert Hitchens Ltd  Commenting on residential CIL rates, submitted by Zoe Stiles,	<b>No</b> Insufficient information to assess whether there is an appropriate balance between desirability of funding infrastructure and economic viability. Need to understand essential infrastructure for the planned supply of housing / employment land. The IDP identifies 'critical' and 'essential' items for the delivery of development.	Further consideration is being given to the inclusion of known essential infrastructure costs.

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	Pioneer Property Services Ltd	<p>Unclear how CIL payments will be allocated between the three local authorities. Illogical for Gloucester City sites to be nil CIL whilst strategic site A1 Innsworth, close to the Gloucester City local authority boundary in a similar housing market area, will be subject to a £90 per square metre CIL charge. Should review viability evidence.</p> <p>No assessment of past S106 contributions or affordable housing delivery. Based on past delivery, 40% AH is unlikely to be achieved in Tewkesbury and Cheltenham.</p> <p>CIL charges are substantially higher than those currently proposed in South Worcs and Stroud.</p>	<p>Governance arrangements will be formulated for the spending of CIL. CIL charges reflect current viability but will be revised if justified by further viability assessment.</p> <p>Historic S106 delivery is being assessed</p> <p>CIL charges reflect the viability evidence.</p>
30	Barwood Development Securities Ltd	<p><b>No</b> No information provided</p>	
33	<p>Peel holdings (Land and Property Limited)</p> <p>Submitted by Tristan Hutton WYG</p>	<p><b>No</b> The proposed single CIL rate for retail development does not reflect the significant variations in economic viability of retail development and would render retail warehouse development in Gloucester, and probably Tewkesbury, unviable. Should differentiate the retail CIL charge on the basis of geographic boundaries, would be compliant with Regulation 13</p> <p>Retail development in Cheltenham and to a lesser extent Tewkesbury is more viable than development in Gloucester,</p>	<p>Additional assessment of viability of retail development proposed.</p>



### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>particularly central retail development for both convenience and comparison.</p> <p>If CIL charges do not reflect viability, retail will take place in Cheltenham rather than Gloucester, due to higher profitability. Funding for necessary infrastructure in Gloucester will not be provided. A flat rate CIL will distort the market and reinforce an already substantial move of retail development from Gloucester to Cheltenham.</p> <p>Differential residential rates reflect the varying levels of viability, failure to apply for retail development will undermine the delivery of JCS retail policy.</p> <p>Paragraph 1.9.3 of the PDCS suggests that further viability testing may be undertaken to assess whether the retail CIL rate could vary according to the type and location of such development. Therefore, premature to advocate a single flat rate CIL charge for retail development.</p>	
34	Site A6 developer consortium: Bovis Homes, David Wilson homes, Miller Strategic and Redrow Homes	<p><b>No</b></p> <p>Reference to Reg 14 &amp; appropriate balance. National Planning Practice Guidance on CIL should be reflected in the viability appraisal.</p> <p>Given housing land supply shortfall for Cheltenham &amp; Tewkesbury Borough, it is important that CIL not set at unviable</p>	<p>Noted</p> <p>Noted</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	Commenting on Cheltenham & Tewkesbury PDCS	<p>levels. Persistent under delivery by both for 1<sup>st</sup> three years of JCS timeframe.</p> <p>If pp granted for A6 before CIL, any subsequent applications would be subject to CIL if a charging schedule in place Allocation would be jeopardised due to rate of £500 sqm, particularly as land immediately outside the area would have a £110 sqm rate.</p>	CIL Reg 128A provides that CIL charges would only apply to any additional floorspace. The North West Cheltenham site is a considerable distance from site A6 and is in a different value area.
<p><b>Question 3:</b></p> <p><b>Should the Councils introduce an instalments policy?</b></p>			
3	MD Gladstone	<b>Yes</b> 20% on larger amounts	Noted
5	Capt B Glover	<b>Yes</b> 10% cap would be reasonable	Noted
11	Highways England	<b>Yes</b> No objection in principle to an instalments policy however programming is necessary to ensure that necessary interventions to support the development are delivered. If infrastructure is required early in the process a mechanism for forward funding will be necessary	Noted

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
19	Gloucestershire County Council as landowner	<b>Yes</b> To ensure cost of increased service matches demand and link to occupation.	Noted
22	South West HARP Planning Consortium	<b>Yes</b> Enables costs to be spread over a longer period.	Noted
23	Gloucestershire County Council  GCC services and infrastructure providers	<b>Yes</b> Minimum amount: £500,000	Noted
24	Bloor Homes Western & Persimmon homes LTD	<b>Yes</b> An instalments policy is essential to ensure deliverability and could be linked to multiples or units with 250 suggested or to sub-phases as defined through Reserved Matters applications.	Noted
25	Redrow Homes in relation to the TBC part of strategic site A6	<b>Yes</b> Depends on nature of scheme, items to be delivered and development phasing.	Noted
27	Redrow	<b>Yes</b> Recommend a policy to avoid unnecessary pressure on cashflow and delivery (p30 of the representation).	Noted

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
	Holdings across the JCS area	Should be a mechanism where if CIL payments threaten viability & delivery of a scheme, for an instalment policy to be negotiated on a one to one basis.	
28	Robert Hitchins Ltd (Commercial schemes)	<b>Yes</b> Support concept but has a potential effect on scheme viability and therefore needs to be fully assessed.	Noted
29	Robert Hitchins Ltd (Residential CIL rates)	<b>Yes</b> Will have implications for impact of CIL charges on viability, should be determined in conjunction with viability testing.  Large strategic sites will be developed over longer periods of time and subject to significant infrastructure costs, this matter should be discussed with land owners/developers to get a clearer understanding.	Noted
34	Site A6 developer consortium: Bovis Homes, David Wilson homes, Miller Strategic and Redrow Homes	<b>Yes</b> Request that supporting documentation for operating CIL be made available at the earliest opportunity. Recommend a policy to avoid unnecessary pressure on cashflow and delivery (p41 of the representation). Should be a mechanism where if CIL payments threaten viability & delivery of a scheme, for an instalment policy to be negotiated on a one to one basis.	Noted

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
<p><b>Question 4: Should the Councils offer relief for any of the following discretionary matters?</b></p> <p><b>4A: Relief for low-cost market housing</b></p> <p><b>4B: Land and Infrastructure in-kind</b></p> <p><b>4C: Relief for exceptional circumstances</b></p> <p><b>4D: Relief for charitable investment activities</b></p>			
3	MD Gladstone  Commenting on Gloucester PDCS	A. Low cost housing: Yes B. Land and infrastructure in-kind: Yes C. Relief for exceptional circumstances: Yes D. Relief for charitable investment activities: Yes  Relief should be available in the public interest	Noted
4	BNP Paribas on behalf of the Police and Crime Commissioner for Gloucestershire	No comments but requests confirmation that emergency service developments will be exempt from CIL.	Noted
5	Capt B Glover	A. Low cost housing: Yes B. Land and infrastructure in-kind: Yes C. Relief for exceptional circumstances: Yes D. Relief for charitable investment activities: Yes	Noted
11	Highways England	No objection to some form of relief, possibly partial relief in line with trip generation, e.g. affordable housing generates less	Affordable housing is exempt from CIL (Reg 49).

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		trips. Would need reassurance that funding for mitigation would be available from other sources.	
19	<p>Gloucestershire County Council as landowner</p> <p>Commenting on Cheltenham &amp; Tewkesbury PDCS</p>	<p>4A. Yes Low cost market housing generates a lower capital return compared to open market housing is therefore in effect a contribution, as the public purse is not meeting the full cost of the accommodation. Thus a reduction to take account of this shortfall is justified.</p> <p>4B Yes Land and infrastructure in kind is again a financial contribution which should be equitably taken into account in calculating CIL payments.</p> <p>4C and 4D Yes Flexibility is required to allow for exceptional circumstances.</p>	
22	South West HARP Planning Consortium	<p><b>Discretionary Social Housing Relief</b> Strongly recommend social housing relief. This sector of affordable housing is growing and provides affordable housing with nil grant.</p> <p><b>Discretionary Exceptional Circumstances Relief</b> Recommend discretionary relief, this does not necessitate the entire CIL charge being afforded relief, just the amount necessary to make the development viable. Example of cross subsidy sites, if CIL is required on the market element, may</p>	Noted

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		require additional market housing to pay for CIL on a site principally brought forward for affordable housing.	
23	Gloucestershire County Council  GCC services and infrastructure providers	<p><b>4A – Low cost market housing:</b> No. Relief for affordable housing is sufficient.</p> <p><b>4B – Land and Infrastructure in kind:</b> Yes, can be advantageous, e.g. provision of schools.</p> <p><b>4C – Exceptional circumstances:</b> Yes can be a useful tool for enabling development to proceed.</p> <p><b>4D – Charitable investment activities:</b> No relief for charities is mandatory. The discretionary relief for charitable investment purposes could be considered at a later date.</p>	Noted
24	Bloor Homes Western & Persimmon homes LTD	<p><b>Q.4 Discretionary relief: Yes to all</b></p> <ul style="list-style-type: none"> <li>• To enable flexibility in provision of 'affordable' housing across the lifetime of the JCS and potentially increase the level of home ownership</li> <li>• To enable the very likely direct delivery of infrastructure or provision of land for infrastructure on strategic sites e.g. for schools and community facilities</li> <li>• To allow for unforeseen economic circumstances through the lifetime of the JCS (e.g. a repeat of 2007/8 'crash') and allow for unforeseen abnormal costs.</li> </ul>	Noted
25	Redrow Homes in relation to the TBC part of strategic site A6	<p>A. Low cost housing: Yes</p> <p>B. Land and infrastructure in-kind: Yes (different to A6 consortium which says no)</p> <p>C. Relief for exceptional circumstances: Yes</p>	Noted

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>d. Relief for charitable investment activities: Yes</p> <p>Low cost ownership &amp; Charitable investment: could help encourage these activities.</p> <p>Land &amp; infrastructure: may be circumstances where strategic infrastructure is required to be delivered upfront.</p> <p>Exceptional circumstances: to provide a degree of flexibility.</p>	
27	Redrow (have land holdings across the JCS area)	<p>A. Low cost housing: Yes</p> <p>B. Land and infrastructure in-kind: No</p> <p>C. Relief for exceptional circumstances: Yes</p> <p>D. Relief for charitable investment activities: Yes</p>	Noted
28	Robert Hitchins Ltd (Commercial schemes)	<p><b>Q.4: Discretionary Relief?</b></p> <p>A. Low cost housing: No response</p> <p>B. Land and infrastructure in-kind: Yes</p> <p>C. Relief for exceptional circumstances: Yes</p> <p>d. Relief for charitable investment activities: No response</p>	Noted
29	<p>Robert Hitchins Ltd</p> <p>Commenting on residential CIL rates, submitted by Zoe Stiles, Pioneer Property Services Ltd</p>	<p>A. Low cost housing: Yes. Viability for such developments has not been tested, likely to provide reduced revenues which will increase viability difficulties.</p> <p>B. Land and infrastructure in-kind: Yes. Will enable the JCS councils to take a more flexible approach to developer contributions</p>	Noted



**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>C. Relief for exceptional circumstances: Yes. Would be welcome given viability concerns raised in this response but should be a substitute for ensuring viable and deliverable CIL payments.</p> <p>D. Relief for charitable investment activities: No response</p>	
34	<p>Site A6 developer consortium: Bovis Homes, David Wilson homes, Miller Strategic and Redrow Homes</p>	<p><b>Q.4: Discretionary Relief?</b> Request that supporting documentation for operating CIL be made available at the earliest opportunity. Request that the councils allow for discretionary and exceptional relief and that the intended approach is outlined at the Draft Charging Schedule stage.</p> <p>A. Low cost housing: Yes B. Land and infrastructure in-kind: No C. Relief for exceptional circumstances: Yes d. Relief for charitable investment activities: Yes</p>	Noted
<p><b>Question 5:</b></p> <p><b>Do you have any views on the preliminary draft infrastructure list (Regulation 123) and the split between S106 and CIL?</b></p>			
4	BNP Paribas on behalf of the Police and Crime	Support proposal for continual review and updating of the Reg 123 list as requirements change over time.	

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
	Commissioner for Gloucestershire	<p>Note that the draft Regulation 123 list is based on the JCS Infrastructure Plan evidence. The Joint Core Strategy Infrastructure Delivery Plan: Final August 2014 was correct at the time for Police infrastructure requirements (page 7 and pages 94-101) but significant changes have occurred. The PCC will provide an update for use in the Joint Core Strategy Infrastructure Delivery Plan when this document is next made available for public consultation.</p> <p>No information on the processes for CIL spending decisions and prioritisation. Query as to how will infrastructure providers have their say in the process and suggest this should be included in order to ensure transparency and appropriate use of CIL revenue.</p> <p>Note that the Preliminary Draft Regulation 123 list does not commit the Councils to fund the projects listed though CIL (para 1.12.4). Welcomes the inclusion of the three Emergency Services on the list of infrastructure. Requests clarification of the statement "including infrastructure to support the capacity of local services in areas of major growth". There should be a specific reference to off-site emergency services infrastructure and capacity building within emergency services to meet the requirements of development.</p> <p>There are no items of police infrastructure listed in the second column of the list). The Police and Crime Commission requests</p>	<p>See updates to the IDP within the JCS examination documents.</p> <p>Governance arrangements to be formulated</p> <p>2<sup>nd</sup> column relates to on-site infrastructure provided through S106. It is not anticipated that police infrastructure would be provided on site</p>

JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		that <b>“Police accommodation/infrastructure either on site or directly related to the site”</b> is added to this list.	
7	NHS: Gloucestershire Clinical Commissioning Group and the Local Plan Network	<p>Health services are not included in the infrastructure list (Regulation 123 List). While ambulances are identified, this is a small section of the services necessary to support the healthcare needs of the additional 45,000 people by 2031. Healthcare services are identified in paragraph 17 of the NPPF. Paragraph 156 also identifies health, security, community and cultural infrastructure as strategic priorities for which local plans must provide a strategic planning steer.</p> <p>The NHS Local Plan Network has established that the health related costs associated with the population growth to be approximately £2,000 per dwelling. Would expect some CIL contribution towards this essential requirement, particularly in respect of primary and community based infrastructure. Attach a summary of the findings from use of HUDU Planning Contributions Model (summary of the factors that provide for a healthy development, rather than information on health facilities required).</p>	<p>Healthcare services would fall within “Health and well being infrastructure”. The infrastructure list identifies categories of infrastructure to be funded by CIL rather than very specific types of infrastructure. This may be refined following further assessment of critical infrastructure requirements for the strategic allocations.</p> <p>Noted. As set out above, the Reg 123 list includes health infrastructure. The governance arrangements for CIL will establish the process for allocating funding for infrastructure.</p>
11	Highways England	<p>Regulation 123 List is generic at the moment. Uncertainty as to whether the CIL contributions will be sufficient to pay for necessary strategic infrastructure or whether there will be a funding gap.</p> <p>Content with the type of infrastructure listed under CIL. HE is currently working with the JCS councils and the County Council</p>	<p>CIL is not anticipated to be sufficient for all strategic infrastructure, other sources of funding will also be required.</p> <p>Noted.</p>

## JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		to develop the JCS evidence base. This will include identifying schemes to be included in a more detailed Reg 123 list.	
18	Persimmon Homes Severn Valley  Commenting on Gloucester City PDCS only	Reference to the 3 tests for S106 contributions set out in Reg 122 of the CIL Regs. No objection to Reg 123 list.	Noted
19	Gloucestershire County Council as landowner  Commenting on Cheltenham & Tewkesbury PDCS	<p>Education contributions: clarification as to whether CIL designed to will cover both contributions to school extensions and the construction of a new school on larger developments.</p> <p>CIL cannot deliver a new school as there will be a time gap between the need to build and receipt of CIL money. In addition is not clear whether the land required for a school site can be delivered via CIL.</p>	The PDCS Reg 123 list proposes that all education infrastructure would be provided through CIL. This will be reviewed for strategic allocations once the specific requirements for each site are clarified. Timing for when a school is required and appropriate location is likely to determine the mechanism. If off-site, more likely to be CIL?
23	Gloucestershire County Council  Officer level response on a range of GCC services and infrastructure providers	<p>GCC has been involved in the development of the draft Reg 123 List, and welcomes on-going dialogue regarding future CIL expenditure.</p> <p>The Reg 123 List should closely align with the evidence base to the JCS.</p> <p><b>i) Economic Development Issues</b> The inclusion of economic development infrastructure is welcomed.</p> <p><b>ii) Flooding</b></p>	<p>Noted</p> <p>Noted</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Distinction between strategic flood infrastructure and local site specific mitigation is useful.</p> <p><b>iii) <u>Transport and Highways</u></b> The Reg 123 should reference specific schemes of strategic transport infrastructure which can be funded through CIL. This will assist provision of highways and transport infrastructure where these cannot be secured through s106 planning obligations, or would require more than 5 pooled contributions to deliver. The reference that providing a safe and acceptable means of access to a highway, etc. will continue to be covered through s106 is welcomed.</p> <p>Reg 123 List should specify travel planning will be through S106.</p> <p><b>iv) <u>Education (including pre-school)</u></b> Schools are often required in urban areas where there is no land for expansion/provision of schools. Where this occurs, provision in-kind is preferred.</p> <p>The draft Reg 123 List needs to identify provision in kind is acceptable under CIL. As an indication, a primary school is required to service a development of 840 dwellings (qualifying dwellings i.e. houses of 2+ bedrooms). GCC preference is that these are provided in kind.</p> <p><b>v) <u>Waste</u></b></p>	<p>Noted</p> <p>Noted. The PDCS Reg 123 list reflects available evidence. If further infrastructure planning or assessment of infrastructure requirements for strategic allocations identifies specific schemes, this can be reviewed to take account of additional evidence.</p> <p>Recommend PDCS be amended to refer to travel planning.</p> <p>Require additional clarity on anticipated education requirements to support the JCS growth to further consider this issue?</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>The increasing number of households in the County will place a strain on the existing Household Recycling Centre (HRC) service and the capacity at sites is limited. An additional site(s) might be needed to provide the HRC service and would require land and infrastructure. The Reg 123 List needs to include reference to expenditure of CIL monies on waste infrastructure where appropriate.</p> <p><b>vi) <u>Archaeology and Ecology Services</u></b> It is anticipated that site-specific mitigation will continue to be secured through s106 planning obligations and conditions. Where infrastructure (as defined in the legislation) is required it should be capable of being funded through CIL. The Reg 123 List should therefore reference this.</p> <p><b>vii) <u>Libraries &amp; Archives</u></b> Libraries and archives are listed as 'cultural infrastructure' within the Reg 123 List. This is welcomed, but should be made more explicit.</p> <p><b>viii) <u>Public Health</u></b> The draft Reg 123 List should explicitly refer to Social and Community Infrastructure as including infrastructure which promotes health and wellbeing. CCG expectation is that some of the CIL funding would be directed towards this essential requirement, particularly in respect of primary and community based.</p>	<p>PDCS to be amended to include waste infrastructure to be funded via CIL. Also required to fund additional refuse vehicles to service additional development.</p> <p>Archaeology: No amendment required, included in historic environment. Identifies what is CIL/S106 Ecology: include within green infrastructure?</p> <p>The Reg 123 is generic so as to be "inclusive" rather than "exclusive"</p> <p>The Reg 123 includes provision for health and well being infrastructure</p>

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Of significant importance is the governance mechanism and arrangements for expenditure of CIL monies through infrastructure providers (such as GCC and others). Collaboration on a mutually satisfactory approach to these arrangements will help provide the assurance that infrastructure can continue to be provided.</p>	<p>Governance arrangements will be formulated. Gloucestershire County Council is a key infrastructure provider and will be included in the governance arrangements.</p>
24	<p>Bloor Homes Western &amp; Persimmon homes LTD</p> <p>Submitted by Rob White, Whitepeak Planning</p> <p>Responding to CBC &amp; TBC PDCS</p>	<p>Regulation 123 lists for Cheltenham and Tewkesbury include different infrastructure types for both CIL and S106, the lists should be the same.</p> <p>The infrastructure types listed in the Draft Regulation 123 lists are not consistent with those listed in S216(2) of the Planning Act 2008, i.e.:</p> <ul style="list-style-type: none"> <li>○ CBC: Also includes 'Historic Environment', 'Public Realm, Art and Culture', 'Emergency Services', 'Economic Development Infrastructure', 'Waste Recycling' and 'Renewable Energy Infrastructure'.</li> <li>○ TBC: Also includes 'Historic Environment', 'Public Realm', 'Emergency Services', 'Health and Well Being Infrastructure, 'Economic Development Infrastructure'.</li> </ul> <p>What is the justification for the inclusion of these types of "infrastructure" that are not required to support development in the area, e.g. public art and historic environment?</p>	<p>Agreed. Ensure Reg 123 list common for all 3 councils if possible.</p> <p>Get a view from One Legal but:          The definition of infrastructure in s.216(2) PA 2008 is a list of what is <i>included</i>.          It is not said to be exhaustive ("<i>includes</i>" not "<i>means</i>").          Only item specifically excluded is affordable housing          CIL Reg 59, charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area          JCS councils then to review whether these categories of infrastructure are lawful or necessary</p> <p>New development generates a requirement for additional infrastructure, up front capital costs in advance of</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Waste and recycling facilities should not be included in Reg 123 lists, funded through Council Tax;</p> <p>Emergency services are funded through central government grant out of general taxation and/or through a specific levy included in Council Tax payments and hence should not be included in CIL Reg 123 list. Clarity required for health and well-being infrastructure and whether it falls under 'Medical Facilities' as per Planning Act. Secondary health care is funded directly by central government and should not be included. Primary Health Care is funded by NHS England and whilst site specific contributions based on need generated can be negotiated as part of a S106 agreement, Primary Health Care should not be included on CIL Reg 123 list.</p> <p>"Economic Development Infrastructure" should be removed. Starter units are development rather than infrastructure and telecommunications would be delivered by statutory undertakers.</p>	<p>developments being occupied (e.g. need a new lorry when existing capacity reached but initially will not operate at full capacity)</p> <p>Issue to consider is CIL Reg 59, is it infrastructure necessary to support the development of the area. The national planning practice guidance identifies that the built and natural environments are major determinants of health and wellbeing. The NPPF generally refers to "cultural well-being". The PDCS response from NHS England also identifies the importance of good planning for healthy lives. Paragraph: 004 Reference ID: 53-004-20140306 of the practice guidance relates to the impact of specific applications on health and well being and advises local planning authorities may decide the identified need could be funded through CIL. However, may want to consider whether "well-being" infrastructure in necessary, maybe included within other categories.</p> <p>To be considered</p> <p>Further work on site specific infrastructure requirements for strategic allocations underway. Consider publishing a planning obligations position statement (see Northampton</p>



**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>In relation to the split between S106 and CIL the following points are made:</p> <ul style="list-style-type: none"> <li>• Absence of clarity between CIL and S106 items and as to what 'Development specific mitigation works on or directly related to a development site' relates to;</li> <li>• Clarity is required as to which infrastructure is directly related to the proposed development and what is required to serve the wider community, to ensure there is no double-counting.</li> </ul>	<p>Borough Council) or developer contributions document at draft charging schedule stage to provide clarity.</p>
25	Redrow Homes in relation to the TBC part of strategic site A6 commenting on TBC PDCS only	<p>Too high level, does not include specific projects. Should cross refer to the IDP (continually updated). Current IDP does not estimate funding gap as limited information currently on match funding. Unclear what strategic infrastructure will be funded by CIL or S106, unlikely that all will be funded by CIL.</p>	<p>Decision for JCS councils as to whether retain a high level Reg 123 list. See above re clarity on what is to be funded by CIL or S106</p>
27	Redrow (have land holdings across the JCS area)	<p>Differential CIL rates for each strategic allocation. Unclear what infrastructure will be funded through CIL and whether the developments making the CIL contributions will be prioritised for the spending of these receipts.</p> <p>Recommend a £0 CIL for strategic sites and use S106 obligations for infrastructure. Draft Reg 123 list suggests that these developments would cater for their own infrastructure requirements. Will provide clarity, timely delivery of infrastructure and avoid double-dipping. South Glos adopted £0 CIL for sites of 600 dwellings or more to minimise the added level of complexity and uncertainty that CIL would introduce,</p>	<p>PDCS currently proposes that all infrastructure for strategic allocations except on- site open, drainage and roads would be funded by CIL. This will be reviewed following the further assessment of site specific infrastructure requirements.</p> <p>See above, to be considered further in light of evidence on site specific infrastructure.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>potentially threatening the council's ambitious housing delivery targets.</p> <p>CIL Guidance requires local authorities to demonstrate they have been realistic in assessing what residual S106 and 278 requirements will remain.</p>	<p>Meetings with developers &amp; infrastructure providers September 2015 should provide this information for strategic allocations.</p> <p>Review of historic S108/S278 provides information that can be used to inform smaller site typologies but S278 information currently lacks clarity.</p>
28	<p>Robert Hitchins Ltd</p> <p>Commenting on commercial schemes, submitted by Mark Buxton, CGMS</p>	<p>Too generic and does not provide confidence that double dipping will not take place. Insufficient detail on what will be funded by CIL and what will be funded by S106. Particularly important on strategic sites, may have onerous site specific mitigation to be delivered by S106.</p> <p>Should publish a Developer Contributions SPD alongside the CIL Charging Schedule to clarify the relationship between S106 and CIL</p>	<p>See comments above</p>
29	<p>Robert Hitchins Ltd</p> <p>Commenting on residential CIL rates, submitted by Zoe Stiles,</p>	<p>Unclear as to what would be funded through CIL or S106. Therefore, S106 burdens are unclear and how double dipping would be avoided.</p> <p>August 2014 IDP states: "as the JCS progresses towards examination and adoption, the IDP will need to be refined to ensure that infrastructure requirements and the current position with project</p>	<p>Clarify status of the project tracker</p>

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
	Pioneer Property Services Ltd	<p>specifications, consents and funding commitment are as up to date as possible". Advises that regular updates to be provided by a project tracker to accompany the IDP and which will be a 'live document'. The IDP states that the infrastructure requirements should 'be read alongside the associated Project Tracker in order to understand specific infrastructure projects'. Concerned that the live project tracker is not part of the evidence base.</p> <p>Would like to work with the councils to provide realistic up to date infrastructure cost assumptions to inform the viability assessments.</p> <p>Unclear about how much of the essential/critical infrastructure in the IDP will be funded by the large strategic housing sites. With £0 CIL for Gloucester and 40% AH, there will be a disproportionate burden upon market housing in Tewkesbury and Cheltenham.</p> <p>Reference to the PPG advice on S106 post CIL  <i>Where the regulation 123 list includes a generic type of infrastructure (such as 'education' or 'transport'), section 106 contributions should not be sought on any specific projects in that category. Site-specific contributions should only be sought where this can be justified with reference to the underpinning evidence on infrastructure planning which was made publicly available at the charging schedule examination. The charging authority's proposed approach to section 106 contributions</i></p>	<p>Meetings held September 2015</p> <p>Further assessment being undertaken.</p> <p>Site specific requirements will be informed by evidence.</p>

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<i>should be set out at examination and should be based on evidence.</i>	
33	Peel holdings (Land and Property Limited)  Submitted by Tristan Hutton WYG	<p>The Infrastructure Delivery Plan assumes certain levels of development coming forward over the plan period, including 89,000sq m of retail floorspace in the Gloucester area. Unlikely that this development will be delivered given the content of the emerging Joint Core Strategy.</p> <p>Notwithstanding this, the Regulation 123 list fails to precisely identify at this stage what infrastructure might be delivered. There is also ambiguity due to the generality of the list as to what may be funded through S106 agreements or CIL. Need clarity on where and when S106 contributions will be sought.</p>	Noted
34	Site A6 dev consortium: Bovis Homes, David Wilson homes, Miller Strategic and Redrow Homes  Commenting on Cheltenham & Tewkesbury PDCS	<p>Infrastructure requirements are greater on strategic sites than smaller sites. Recommend a £0 CIL for strategic sites and use S106 obligations for infrastructure. This would provide clarity and ensure timely delivery of infrastructure. Recommend Reg 123 list be amended to exclude infrastructure projects associated with strategic sites. Infrastructure items identified in the IDP represent a cost to the development of a strategic site and should be included in the viability appraisal.</p> <p>Anticipated S106 contributions to be sought should be factored in. Need to ensure that the combined total from S106 and CIL is not in excess of historically delivered S106 contributions.</p>	The appropriate mechanism for delivering infrastructure, i.e. CIL or S106, will be reviewed following the further assessment of site specific infrastructure requirements for the strategic allocations.

## JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
<b>General Comments</b>			
1	Marine Management Organisation	No comments	Noted
2	DK Hurran	Notes site A6 is £500 per sq.m. Suggests The developer of the proposed site in Tewkesbury Borough should be expected to bear a more realistic CIL rate as very limited infrastructure proposed on site.	The PDCS charge of £500 per sqm for site A6 relates to a notional scheme and includes the same assumptions for S106 provision for both Tewkesbury Borough and Cheltenham, i.e. 30% of the headroom.
6	Severn Trent	Water and waste water infrastructure are funded by developer and Severn Trent contributions via customer charges and therefore do not need to be included in the CIL.	Noted
9	Winchcombe Town Council	Support the principle of collecting the Community Infrastructure Levy, the detail of this process should be dealt with by the planning professionals.	Noted
10	Blue Cedar Homes, A private retirement homes specialist operating in the South West	Paragraph 21 of the NPPF, amended March 2015, greater emphasis on provision for the changing needs of older people.  Nil CIL rate should be applied across the Borough for specialist accommodation such as retirement housing. Unclear whether ordinary retirement housing would be excluded from CIL. Reference to C3 sheltered/retirement housing should be specifically added to tables.	Retirement homes constitute dwellings and therefore would be liable for CIL under the PDCS proposals. Further viability appraisal proposed for sheltered/retirement housing proposed to assess whether there is a case for reduced or £0 CIL for this type of specialist housing.

## JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
	(x2, identical responses. Commenting on Tewkesbury & Cheltenham, not Gloucester)	<p>NPPG guidance 28 November 2014 (not to seek affordable housing contributions or tariff style contributions small scale developments i.e. 10 dwellings or fewer and less than 1000 sqm gross floorspace) should be taken into account in the charging schedule.</p> <p>Hertsmere and South Oxfordshire Councils both propose a nil charge for specialist retirement housing. Housing which provides a real need for specialist housing, such as retirement housing, should be exempt CIL and affordable housing.</p>	<p>Guidance quashed by recent high court judgement although leave has been granted to appeal.</p> <p>Any exemption or reduction will need to be based on viability evidence.</p>
11	Highways England	<p>Support CIL as a mechanism to fund infrastructure.</p> <p>In addition to considering what is affordable to developers, need to identify the cost of strategic infrastructure and how much CIL needs to fund. Regulation 123 is generic at present which suggests that this had not been taken into account. Emerging transport strategy work identifies abnormal costs for some sites.</p>	<p>Charging schedule needs to strike a balance between the desirability of CIL funding infrastructure required to support the development of the area and the potential effects of CIL on the economic viability of development across the area.</p>
12	Maisemore Parish Council	<p>Community Infrastructure Levy should contribute to an infrastructure fund rather than being related to a particular development, so pooling the contributions from a number of developments.</p>	<p>CIL is not tied to a specific development. Governance arrangements will establish the process for allocating funding to projects.</p>
13	Woodland Trust	<p>Whilst strategic green infrastructure is being acknowledged in the draft Regulation 123 lists, trees and woodland specifically should also be acknowledged. Amend green infrastructure to</p>	<p>Green infrastructure is a broad category which would include new woodland creation.</p>

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
		<p><b><i>' Provision of open space, green space, new woodland creation, leisure and recreation.'</i></b></p> <p>The Natural Environment and Rural Communities Act 2006 places a duty on local authorities to have regard to the conservation of biodiversity in exercising their functions.</p> <p>No acknowledgement of the value of monitoring the CIL Charging Schedules. Maintaining a high quality natural environment should be defined as a measurable objective, net gain should be measured. A number of comments at the end of the document refer to Bournemouth CIL.</p>	<p>Noted</p> <p>Noted</p>
14	S & B Heaton	The funding from CIL would be totally inadequate to fund all the infrastructure required to support the JCS.	It is anticipated that CIL would contribute towards the funding "gap" rather than funding all infrastructure.
15	The Theatres Trust	Support the nil rate for "all other forms of development" as many social and cultural uses do not generate sufficient income to cover their costs. Provision is unviable, even without the imposition of CIL	Noted
16	Historic England	Welcome an appreciation of the role of CIL and S106 in supporting the delivery of improvements to the historic environment and public realm.	Noted
17	DR C Copps	No comments on CIL, relate to Greenbelt protection	
18	Persimmon Homes Severn Valley (Gloucester City PDCS only)	Support the residential CIL rates in Gloucester. Many brownfield sites with remediation costs. Could render sites more viable. Concerns if additional S106 costs are proposed to compensate for CIL.	Noted

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
20	Natural England	<p>Draw attention to para 114 of the NPPF. Without CIL the only enhancements to the natural environment would be ad hoc.</p> <p>Potential infrastructure requirements may include:</p> <ul style="list-style-type: none"> <li>• Access to natural greenspace.</li> <li>• Allotment provision.</li> <li>• Infrastructure identified in the local Rights of Way Improvement Plan.</li> <li>• Infrastructure identified by any Local Nature Partnerships and or BAP projects.</li> <li>• Infrastructure identified by any AONB management plans.</li> <li>• Infrastructure identified by any Green infrastructure strategies.</li> <li>• Other community aspirations or other green infrastructure projects</li> <li>• Infrastructure identified to deliver climate change mitigation and adaptation.</li> </ul>	All infrastructure identified would be within categories included in the Reg 123 list.
21	<p>DIO &amp; Vinvi St Modwen (MOD Ashchurch)</p> <p>(submitted by Nick Matthews, Savills)</p>	At the JCS viability workshop the JCS councils committed to working with landowners/site promoters for the strategic allocations to refine the viability assessments for each site and take account of local circumstances. Important that CIL rates are based on robust and credible evidence so as to not jeopardise delivery. Intend to work collaboratively to establish an appropriate CIL rate, to address viability issues relating to on and offsite infrastructure and appropriate funding mechanisms.	Noted.



**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		If areas of disagreement as not resolved prior to draft charging schedule, will submit details of objections at that stage.	
22	South West HARP Planning Consortium (submitted by Sean Lewis Tetlow King Planning)	<p>Consortium includes all the leading Housing Association Registered Providers (HARPs) across the South West.</p> <p>Important to consider the overall impact of the Community Infrastructure Levy (CIL) on the delivery of affordable housing, to ensure that it is not squeezed to high CIL rates. Refer to their concerns about absence in the JCS of a full objectively assessed housing need.</p> <p><b>Unit Sizes</b> Majority of unit sizes assumed are below those identified in "Technical Housing standards- Nationally Described Space Standard" DCLG March 2015. If standards are adopted in the JCS new viability testing may be required.</p> <p><b>Developer Profit</b> Strongly recommend that a 20% developer rate of return be incorporated, reflects view from the 9 October 2014 developer workshop.</p> <p><b>Provision of Green Infrastructure</b> Fundamental to factor in any significant open spaces or green infrastructure into viability testing for strategic sites, provision and maintenance have significant costs.</p> <p><b>Sustainable Urban Drainage</b></p>	<p>The unit sizes are the same as those identified in the DCLG Technical standards.</p> <p>DVS view 17.5% appropriate. Await further view from PBA.</p> <p>Green infrastructure included in plot externals.</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
		<p>Reference to Eric Pickles statement December 2014 that planning applications for major development (10+ dwellings or 1000+ sqm include sustainable drainage systems for management of run-off. This is a cost that needs to be factored in.</p> <p><b>CIL Review</b> Should specify when a CIL review will take place. Recommend either every 3 years, if there is a 10% increase in house prices or a significant change in national planning policy changes.</p>	<p>Sustainable urban drainage is required by JCS councils' current adopted policies, not a new requirement?</p> <p>Noted.</p>
26	Churchdown Parish Council	<p>Surprised by the widely differing CIL rates. Concern was expressed that CIL can be pooled and spent on a wider area than the area of the development.</p> <p>It is essential that the portion of the CIL due to the local community actually does. This should be guaranteed and is especially important for those communities preparing Neighbourhood Plans. CIL should be charged on care homes and hotels as these are commercial enterprises.</p>	<p>CIL is not tied to a specific development. Governance arrangements will establish the process for allocating funding to projects.</p> <p>CIL Regs require that 15% or 25% of CIL receipts be transferred to the local town or parish council. The viability evidence does not justify a CIL charge for care homes or hotels.</p>
31	Gloucester City Council: Principal Conservation and Design Officer	<p>Concerned that there are no CIL contributions for Gloucester City. CIL could be used for:</p> <ul style="list-style-type: none"> <li>○ Historic areas grant schemes</li> <li>○ Heritage assets in City Council Ownership.</li> <li>○ Improve the museums and cultural offer in the City</li> <li>○ Improve green spaces and parks and the public realm</li> </ul>	<p>The viability evidence available at the PDCS stage does not enable a CIL charge to be levied in Gloucester City.</p>

### JCS CIL PDCS Consultation Report

No.	Respondent	Summary of Response	JCS Councils' Response
32	Worcestershire County Council	Support the proposal in the Cheltenham Draft Schedule for "Provision of household waste recycling and waste management facilities" to be funded, or part funded, through CIL Infrastructure and for "On site collection facilities and waste reduction initiatives" to be funded through S106 Obligations; S278 of the Highways Act; other legislation or through Planning Condition. In the interests of sustainability, recommend that similar provision be included for Gloucester and Tewkesbury.	Anticipated that revised Reg 123 list will include this for Gloucester City and Tewkesbury Borough
<b>Responses received after 10 July 2015 i.e. end of the PDCS Consultation</b>			
35	Bishops Cleeve Parish Council	<ul style="list-style-type: none"> <li>• The principle of the CIL is a positive one, allowing greater flexibility and determination of use of funding from developers within the community. The 25% contribution for parishes with a Neighbourhood Development Plan is a further incentive.</li> <li>• It is hoped that the proposals within the CIL (Regulation List 123) will support timely identification of infrastructure alongside new development.</li> <li>• Support an instalment policy for complicated and phased developments</li> <li>• Support relief for all discretionary matters.</li> </ul>	Noted

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
36	Federation of Small Businesses (FSB) Gloucestershire and West of England	<p>Submission includes a copy of the report: <i>"Housing development: the economics of small sites – the effect of project size on the cost of housing construction"</i> prepared for the FSB by the Royal Institution of Chartered Surveyors.</p> <p>This report demonstrates that nationally the build cost per square metre for all residential schemes of small housing sites of 10 units or less are on average six per cent higher than on larger developments. On a typical 1-10 unit development of houses, the extra base construction cost could amount to over £100,000.</p> <p>Concern that these additional costs are not being taken into account in Viability Assessments. If these costs are not addressed, the levels of contribution sought may be set too high, adversely impacting on the ability of smaller firms in the JCS area to deliver new housing.</p> <p>Request that the councils consider this report when setting developer contribution levels in the area and set lower rates for small developments.</p>	<p>BCIS state that there is a 14% variance on housing, but they use the mean, this is the average and is subject to rogue figures. DVS adopt the median, which the variance is 10%, similarly with the flats adopting the median is only a 3% variance, as opposed to BCIS 5%. DVS consider this supports use of the median rather than the mean.</p> <p>BCIS assessment considers dwellings of 1No, which are more costly, and DVS consider that this skews the results, single dwellings have a greater cost and increased specification.</p> <p>BCIS analysis uses cost data up to 10 years old, DVS use 5 years of data. Report should be treated with some caution, whilst due to economies of scale, there may be addition, we do consider that the cost data being considered perhaps does not reflect a true comparison, due to the fact that single dwellings are being considered and that the age of the results are questionable, and therefore the percentage addition would be less than proposed by BCIS. Finally it should be added that using BCIS are typical costs and can vary just with specification of roof tiles, windows and the like.</p> <p>In conclusion the following points are made;</p> <p>1) DVS Stage 1 and 3 report, development appraisals, and cost assessments were based as at Q4 2014, whereas the RICS BCIS report is dated August 2015, and was produced</p>

**JCS CIL PDCS Consultation Report**

No.	Respondent	Summary of Response	JCS Councils' Response
			<p>some time after our work</p> <p>2) In relation to the development viability assessment studies, and notional schemes DVS are currently involved in, they are not aware of any differences being made in build costs for small schemes, reflecting the comments made in the report</p> <p>3) If you wish us to relook at the previous Stage 1 and 3 cost plans, they will change reflecting when they were previously prepared (i.e. Q4 2014), and the future date of any revised assessments and reports, but if we are to relook at the construction costs, then conversely everything else in the development appraisals will also need to be relooked at (i.e. sales values), and our current conclusions will change. Accordingly revised reports would needed to be issued</p>