

Chichester Community Infrastructure Levy Draft Charging Schedule

Regulation 19 (1) Statement



1. Introduction

1.1 In accordance with Regulation 19 (1) of the Community Infrastructure Levy Regulations 2010 (as amended), this statement sets out information regarding the representations received in relation to the Council's Community Infrastructure Levy (CIL) Draft Charging Schedule.

1.2 Chichester District Council invited representations on its Community Infrastructure Levy (CIL) Draft Charging Schedule for a six-week period from 21 November 2014 to 5 January 2015.

1.3 In accordance with the CIL Regulations this statement sets out:

- The number of representations
- Summaries of the main issues raised within the representation
- A statement regarding proposed minor amendments.

2. Statement of Representations

2.1 In accordance with Regulation 19 (1) (b) this statement confirms that representations were made to Chichester District Council in respect of the CIL Draft Charging Schedule. **22 respondents** generated **57 representations** in accordance with Regulation 17 of the Community Infrastructure Levy Regulations 2010.

2.2 The majority of representations related to the viability assessment and resulting CIL draft charging schedule rates. Six respondents have indicated their wish to be heard at the Examination.

2.3 Set out in Table 1 below, is a summary of the number of representations by respondent type. The general consultation process can be found at Appendix 2.

Type of respondent	No. of Respondents
Local Authorities Arun District Council; and West Sussex County Council	2
Organisations Chichester City Centre Partnership; Woodland Trust; English Heritage; The Theatres Trust; RSPB; Highways Agency; Thames Water; Homes and Communities Agency; and Sport England	9
Developers/Landowners - Residential Domusea; Blue Cedar Homes; Martin Grant Homes; Commercial Estates Group, DC Heaver and Eurequity Ltd; Savill's representing a consortium comprising Bloor Homes; Linden Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey	5
Operators/Landowners - Retail Morrison Supermarkets; Brookhouse (Chichester) Ltd on behalf of clients at Barnfield Drive	2
Individuals Mr. Alistair Tait; Mr. Robert Edwards; Mr. David Robinson; and Mr. Alistair Impey	4
TOTAL	22

3. Summary of Main Issues

3.1 All of the representations can be viewed in full on the Council's Consultation Portal which can be accessed through the link below and selecting the Community Infrastructure Levy – Draft Charging Schedule:

<http://chichester-consult.limehouse.co.uk/portal/>

3.2 Appendix 1 of this statement provides a summary of the main issues raised by each individual representation gathered under Draft Charging Schedule chapter heading.

3.3 In summary, the main issues raised can be grouped into the following matters:

- Viability Assessment and Rate Setting
- Charging Zones
- Distinction between what is to be funded by CIL and S106/S278
- Draft Instalments Policy
- Future Governance/Spending Priorities

Viability Assessment and Rate Setting

3.4 The main focus of representations from the development industry relates to objections about the viability evidence, including the methodology and assumptions of assessments that support the proposed rates for residential and retail development. This includes assumptions for benchmark land values, construction costs, developers' profit, finance costs, S106 assumptions and other allowances including the viability buffer.

3.5 Although some of the representations acknowledge and welcome the proposed CIL rates, the main issue raised continues to be (with a few exceptions) that the proposed rates are too high and would, as a result, seriously affect the viability of new residential and retail development in the area covered by the new Chichester Local Plan. A number of representations are also requesting that the Council activates the discretionary relief for exceptional circumstances which is available within the CIL Regulations to partially address some of these concerns.

Charging Zones

3.6 There are also objections from developers/landowners of sites related to strategic development locations because a separate charging zone with a lower, or zero CIL rate has not been set for the Strategic Development Locations identified in the new Local Plan, and that a higher CIL charge should be set for developments of 10 residential units or less on the grounds that these smaller developments now contribute less towards affordable housing due to the recent change in government policy. One respondent believes that there should be no differentiation between the charges in the areas north and south of the National Park.

Distinction between what is to be funded by CIL and S106/S278

3.7 A number of representations request that the regulation 123 list needs to be redrafted to offer a clearer distinction between what is to be funded by CIL and what by S106/S278. Concern has been expressed that the Council is requesting contributions to the same infrastructure, through both S106 Planning Obligations and CIL.

Draft Instalments Policy

3.7 One respondent has objected to the draft instalments policy on the grounds that it will not help cash flow and has put forward an alternative policy. Two respondents have stated they find some of the wording within the policy confusing/contradictory.

Future Governance/Spending Priorities

3.8 One respondent wants the Council to spend the CIL in a way which achieves the conservation and enhancement of the historic environment, heritage assets and their setting. A further respondent wishes the improvements to the A27 to be funded from CIL rather than S106/S278.

4. Proposed Minor Amendments

4.1 The Council has not made any modifications to the CIL rates or charging zones contained within the Draft Charging Schedule after it was published in accordance with Regulation 16 of the CIL Regulations 2010 (as amended). A proposed schedule of minor amendments to the Draft Charging Schedule has been included for the Examiner's consideration.

Community Infrastructure Levy Draft Charging Schedule

Consultee Representations and Officer's draft counter-response in anticipation of the Inspector's questions

ID	Consultee	Consultation Point	Support with roads	Support with roads	Comments Have Object	Written reps	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
INTRODUCTION (3 representations)										
4	Mr Alistair Tait	1. Introduction Para 1.2		✓		✓		A distinction needs to be made between charges meant to upgrade existing infrastructure and charges that cannot be raised in order to cover the cost of existing deficiencies. Surely there are many existing deficiencies that need upgrading rather than just making good?	The CIL regulations make it clear that the levy cannot be used to make up existing shortfalls in infrastructure. However, it can be used to upgrade or maintain existing infrastructure as a result of new development. The Council does not need to make the distinction in the DCS. It will do this through the Infrastructure Business Plan, which will set out the spending priorities for the CIL on a five year rolling programme.	No modification considered necessary
41	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	1. Introduction Para 1.4			✓		✓	The interrelationship of CIL and site specific S106 is critical to the commercial viability of larger development and regeneration projects such as food stores. Therefore the preparation and inclusion of infrastructure elements to the Regulation 123 List needs to be clearly defined and understood to avoid double counting (known as 'double-dipping'). Typical 'site specific' S106/S278 costs should be factored into the CIL Viability Modelling.	The CIL will replace the majority of S106 requirements for area wide regeneration schemes. The viability assessment para 6.11 has allowed for £5,000 S106 payment for each smaller convenience and comparison development tested, and £10,000 S106 payment for each larger convenience and comparison development tested.	No modification considered necessary
26	Mr. Robert Edwards	1. Introduction Para 1.7	✓			✓		In favour of developers contributing substantial sums towards the infrastructure costs associated with building developments and therefore support this levy. However there are two dangers: 1 The Planning Authority may feel free to agree to developments where further building should not be considered. The Levy may be used as an excuse for granting planning permission on the grounds that it will pay for any shortfall in these areas. This will not be the case because we will always be playing catch-up. The amount of the levy might help towards existing problems but will not make any impact on the increased demands created	Support noted The Council disagrees with this assertion. Planning decisions will continue to be made on planning, not financial grounds.	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>by the new development.</p> <p>2 We will continue to see the same failure in infrastructure development as under the existing Section 106 arrangements.</p>	<p>The CIL is not meant to pay for all infrastructure, but rather make a contribution towards it. The CIL gives the local authority and local community more flexibility in choosing funding priorities and the CIL enables smaller developments, which have not traditionally been subject to S106 agreements, to contribute towards the costs of infrastructure which their developments cumulatively create a requirement.</p> <p>Where infrastructure is necessary to make a development acceptable in planning terms, it will be provided through S106/S278 planning obligations or conditions rather than the CIL. In which case the legal agreement will state the trigger points for providing the infrastructure alongside phased development.</p>	
WHO WILL PAY CIL? (7 representations)											
5	Domuse a (Mr Edward Rees)	2. Who will pay CIL? Para 2.2		✓				✓	<p>With small sites (1-10 units) there is very rarely a large discrepancy between the existing land value and the value of the land with the benefit of a planning consent. We welcome the recent changes to affordable housing thresholds, but it remains a concern that CIL will simply make some small sites unviable.</p> <p><u>Suggested modifications</u></p> <p>We support and welcome the CIL, but feel that small sites have the ability to negotiate on CIL if viability dictates. We note that currently it is proposed it should be entirely non-negotiable save exceptional circumstances. We suggest if viability can genuinely be demonstrated there should be no requirement to demonstrate exceptional circumstances.</p>	<p>Unlike S106 planning obligations the CIL is a standard tariff and is not negotiable. It can only be waived in exceptional circumstances if the Charging Authority chooses to allow this. The tests for proving exceptional circumstances and the issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist. It is difficult to identify exceptional circumstances in advance as they are supposed to be circumstances that are genuinely not easily repeatable.</p> <p>Due to State Aid rules, a) the exemptions to CIL on grounds of exceptional circumstances can amount</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written reps	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
										<p>to a maximum of 200,000 euros over a 3 year period, for activities anywhere in Europe; and b) the process of getting the exemption set up is quite onerous. Due to limited benefits and excessive costs set out above, attempting to win a CIL exemption is not particularly attractive. It is better to simply set a sensible CIL rate in the first place. The rate set should take account of overall viability.</p> <p>The Council Viability evidence shows that smaller sites are more viable than larger sites in the Local Plan area.</p>	
11	English Heritage Mr. Martin Small	2. Who will pay the CIL? Para 2.5				✓	✓		<p>The Council should be aware of the implications of any CIL rate on the viability and effective conservation of the historic environment and heritage assets in development proposals.</p> <p>The conservation of heritage assets should be taken into account when considering the level of CIL to be imposed so as to safeguard and encourage appropriate and viable uses for the historic environment.</p> <p>We consider it essential that the rates proposed in areas where there are groups of heritage assets at risk are not such as would be likely to discourage schemes being put forward for their re-use or associated heritage-led regeneration. In such areas, there may be a case for lowering the rates charged.</p> <p>In addition, we are encouraging local authorities to assert in their CIL Charging Schedules their right to offer CIL relief in exceptional circumstances e.g. where development which benefits heritage assets and their settings may become unviable it was subject to CIL.</p> <p>We would recommend that if the Council does decide to offer discretionary relief in the future, the conditions and procedures for CIL relief be set out within a separate statement .</p> <p><u>Suggested modifications</u></p>	<p>Change of use & conversion is not liable to CIL as it is only applied to new development.</p> <p>The Council is not aware of any significant areas where a different rate would apply to deal with groups of heritage assets at risk.</p> <p>Unlike S106 planning obligations, the CIL is a standard tariff and is not</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>None at this stage, but we will expect the Council to consider a discretionary relief policy if it is found that charging CIL has adverse implications for the viability and effective conservation of the historic environment and heritage assets in development proposals.</p>	<p>negotiable. It can only be waived in exceptional circumstances, if the Charging Authority chooses to allow this. The tests for proving exceptional circumstances and the issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist. It is difficult to identify exceptional circumstances in advance as they are supposed to be circumstances that are genuinely not easily repeatable.</p> <p>Due to State Aid rules, a) the exemptions to CIL on grounds of exceptional circumstances can amount to a maximum of 200,000 euros over a 3 year period, for activities anywhere in Europe; and b) the process of getting the exemption set up is quite onerous. Due to limited benefits and excessive costs set out above, attempting to win a CIL exemption is not particularly attractive. It is better to simply set a sensible CIL rate in the first place. The rate set should take account of overall viability.</p>	
23	Blue Cedar Homes Mr. Simon Tofts	2. Who will pay CIL? Para 2.2		✓			✓		<p>Factors such as higher build costs and a longer selling period for our properties make retirement housing less viable than new homes in general. Therefore, it is imperative that when determining CIL rates, the charging authority completes an accurate development scenario for specialist accommodation for the elderly to ascertain whether it can support the same level of CIL. As such, I consider that 'C3 sheltered/retirement housing' should be explicitly exempt from these categories and instead, should be added to the list of 'Exemptions' set out in Section 2, para 2.2, page 7.</p> <p><u>Suggested modifications</u></p> <p>I consider that 'C3 sheltered/retirement housing' should be explicitly exempt from these categories and instead, should be added to the list of 'Exemptions' set out in</p>	<p>Paragraph 2.2 sets out the exemptions in the CIL Regulations. The government has not exempted C3 sheltered/retirement housing.</p> <p>The Council has not chosen to adopt a zero rate as we undertook a specific viability test for this use. The viability testing has shown that this type of retirement housing can bear the CIL charge as set out in the draft charging schedule.</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written reps	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									Section 2, para 2.2, page 7.		
24	Blue Cedar Homes Mr. Simon Tofts	2. Who will pay CIL? Para 2.2		✓			✓		<p>During the consultation period of this document, the Government have issued guidance, set out in the National Planning Policy Guidance (NPPG) document, dated 28 November 2014. In the guidance the Government state that:</p> <p>"There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. As such, this very recent guidance should be taken into account in the Council's CIL Charging Schedule and be added to the list of 'Exemptions' set out in Section 2, para 2.2, page 7</p>	This government guidance does not relate to the CIL. It relates to S106 planning obligations, and has been taken into account in the Council's emerging Planning Obligations and Affordable Housing SPD.	No modification considered necessary
25	Blue Cedar Homes Mr. Simon Tofts	2. Who will pay CIL? Para 7.2		✓			✓		<p>I note that in the report on the Examination of the Draft Hertsmere Borough Council Community Infrastructure Levy Charging Schedule, December 2013 (PINS/N1920/429/12), developers of specialist retirement housing, McCarthy and Stone and Churchill retirement Living, and Hertsmere Borough Council recognised the important difference between retirement housing and general needs housing in their charging schedule. The same approach should be considered and taken by Chichester District Council in its CIL Charging Schedule. Currently, I believe there is no reasonable justification for a CIL charge on retirement housing at the same level as general needs housing.</p> <p>The Retirement Housing Study prepared by Knight Frank in October 2014 recognises the hurdle retirement housing faces in the planning system. I believe Chichester District Council should take heed of this Study. As a minimum, the Local Authority should look at the contributions a C2 use class (residential institutions/nursing/care homes) provides. The 'C2' classification means that developers do not have any obligations to provide affordable housing. According to Table 7.1 on page 12, CIL reliefs or waivers are also applicable to C2 uses. I believe that a housing scheme which provides a real need for specialist housing, such as retirement dwellings, should be exempt, similar to the C2 use class. It should also be recognised that by providing this type of housing for the elderly to downsize, larger family homes would become vacant.</p>	The Council has not chosen to adopt a zero rate for retirement housing other than for C2 uses, as the viability testing has shown that other types of retirement housing can bear the CIL charge as set out in the draft charging schedule.	No modification considered necessary
31	Home	2. Who will pay				✓	✓		Para 2.5 currently states that CIL is non-negotiable and	CIL is non-negotiable. However, S106	No modification

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	and Communities Agency (HCA) Ms. Kate McBride	CIL? Para 2.5							<p>that at this stage Chichester District Council does not intend to adopt an Exceptional Circumstances Policy. The Homes and Communities Agency comments as follows;</p> <p>On brownfield sites particularly, viability is often more of an issue, and to ensure that Chichester District Council achieve their housing supply targets, some flexibility on CIL (or perhaps greater scope to negotiate S106) should be built in. An Exceptional Circumstances Policy should be included to cover the less viable sites.</p> <p><u>Suggested modifications</u></p> <p>An Exceptional Circumstances Policy should be included to respond to the issues relating to less viable sites particularly brownfield sites.</p>	<p>remains negotiable.</p> <p>The viability study has set CIL well back from the margins so very few sites are likely to be unviable. Brownfield sites are worth less than greenfield sites, so the developer should work out the costs for clearing and cleaning up the land and negotiate the price paid for the land taking these factors into account from the outset.</p> <p>The Council does not intend to introduce an Exceptional Circumstances Policy from the outset. However, it may revisit this if such a rare circumstance arises.</p> <p>Unlike S106 planning obligations the CIL is a standard tariff and is not negotiable. It can only be waived in exceptional circumstances if the Charging Authority chooses to allow this. The tests for proving exceptional circumstances and the issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist. It is difficult to identify exceptional circumstances in advance as they are supposed to be circumstances that are genuinely not easily repeatable.</p> <p>Due to State Aid rules, a) the exemptions to CIL on grounds of exceptional circumstances can amount to a maximum of 200,000 euros over a 3 year period, for activities anywhere in Europe; and b) the process of getting the exemption set up is quite onerous. Due to limited benefits and excessive costs set out above, attempting to win a CIL exemption is</p>	considered necessary

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										not particularly attractive. It is better to simply set a sensible CIL rate in the first place. The rate set should take account of overall viability.	
37	Martin Grant Homes Mr. Matthew Spilsbury	2. Who will pay CIL? Para 2.5			✓		✓		<p>Relief for Exceptional Circumstances</p> <p>Despite the representations made to the CDC CIL PDCS, which advocated the introduction of discretionary relief from CIL in exceptional circumstances, CDC has stated at paragraph 2.5 within the published CIL DCS that it does not intend to introduce discretionary exemptions.</p> <p>The representors are both surprised and disappointed that CDC has adopted this stance, despite CDC's own recognition within the CIL DCS that: 'Offering exceptional circumstances relief would provide the Council with some limited flexibility to deal with individual sites where development is desirable, but which are proved to have truly exceptional costs or other requirements which make them unviable'</p> <p>It is critical for CDC to boost housing supply to meet the need for market and affordable housing, rather than placing this at further risk by introducing an overly ambitious CIL regime.</p>	<p>The Council does not intend to introduce an Exceptional Circumstances Policy from the outset. However, it may revisit this if such a rare circumstance arises.</p> <p>Unlike S106 planning obligations the CIL is a standard tariff and is not negotiable. It can only be waived in exceptional circumstances if the Charging Authority chooses to allow this. The tests for proving exceptional circumstances and the issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist. It is difficult to identify exceptional circumstances in advance as they are supposed to be circumstances that are genuinely not easily repeatable.</p> <p>Due to State Aid rules, a) the exemptions to CIL on grounds of exceptional circumstances can amount to a maximum of 200,000 euros over a 3 year period, for activities anywhere in Europe; and b) the process of getting the exemption set up is quite onerous. Due to limited benefits and excessive costs set out above, attempting to win a CIL exemption is not particularly attractive. It is better to simply set a sensible CIL rate in the first place. The rate set should take account of overall viability.</p>	No modification considered necessary
39	Commer	2. Who will pay			✓			✓	Paragraph 2.5 of the Draft Charging Schedule confirms, as	The Council does not intend to	No modification

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	cial Estates Group and DC Heaver and Eurequity Ltd	the CIL? Para 2.5							<p>did the Preliminary Draft Charging Schedule, that CDC does not intend to adopt an exceptional circumstances policy, which would allow discretionary relief to be offered where the CIL charge would have unacceptable impacts on a development's economic viability. It is not clear why CDC has decided not to operate such relief from the outset.</p> <p>The NPPF stresses that the sites and the scale of development identified in the Local Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Whilst CIL charging rates should be set at a rate that maintains viability across a charging area, it cannot always account for development sites that are subject to abnormal and/or unforeseen costs. By adopting an exceptional circumstances policy, the Council will have the flexibility to ensure these 'exceptional' costs do not undermine the delivery of key housing sites. As set out in the CIL Guidance, <i>"use of an exceptions policy enables charging authorities to avoid rendering sites with specific and exceptional cost burdens unviable."</i></p> <p>It is also worth noting that Section 55 of the CIL Regulations ensures that, even where a charging authority offers exceptional circumstance relief, that authority has the discretion to apply relief in individual cases – or indeed to refuse to apply relief.</p> <p>As set out in CEG's previous representations, there is no apparent reason not to offer exceptional circumstance relief in the CDC area from the outset. CEG would urge the Council to do so.</p> <p><u>Suggested modifications</u> CEG requests that Chichester District Council adopts an exceptional circumstances policy.</p>	<p>introduce an Exceptional Circumstances Policy from the outset. However, it may revisit this if such a rare circumstance arises.</p> <p>Unlike S106 planning obligations the CIL is a standard tariff and is not negotiable. It can only be waived in exceptional circumstances if the Charging Authority chooses to allow this. The tests for proving exceptional circumstances and the issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist. It is difficult to identify exceptional circumstances in advance as they are supposed to be circumstances that are genuinely not easily repeatable.</p> <p>Due to State Aid rules, a) the exemptions to CIL on grounds of exceptional circumstances can amount to a maximum of 200,000 euros over a 3 year period, for activities anywhere in Europe; and b) the process of getting the exemption set up is quite onerous. Due to limited benefits and excessive costs set out above, attempting to win a CIL exemption is not particularly attractive. It is better to simply set a sensible CIL rate in the first place. The rate set should take account of overall viability.</p>	considered necessary
WHAT WILL CIL BE SPENT ON? (2 representations)											
12	English Heritage Mr. Martin Small	3. What will CIL be spent on? Para 3.1				✓	✓		English Heritage advises that CIL charging authorities identify the ways in which CIL, planning obligations and other funding streams can be used to implement the policies within the Local Plan aimed at and achieving the conservation and enhancement of the historic	<p>These comments relate more to the spending priorities of the CIL, rather than the CIL charging schedule itself.</p> <p>The spending priorities have not yet been decided. However, the regulation 123 list does not rule out the type of</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written reps	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>environment, heritage assets and their setting.</p> <p>The Community Infrastructure Levy covers a wide definition of infrastructure in terms of what can be funded by the levy and is needed for supporting the development of an area.</p> <p><u>Suggested modifications</u> We suggest that the District Council should consider whether any heritage-related projects within Chichester District would be appropriate for CIL funding. The Local Plan's evidence base may demonstrate the specific opportunities for CIL to help deliver growth and in so doing meet the Plan's objectives for the historic environment.</p>	infrastructure described..	
40	Commercial Estates Group and DC Heaver and Eurequity Ltd	3.What will CIL be spent on? Para 3.1 & Annexe B. Draft Regulation 123 list			✓			✓	<p>The draft Regulation 123 list identifies infrastructure to be funded at least in part by CIL, but also confirms the infrastructure that would be excluded from being funded by CIL and so secured through s106 planning obligations and/or s278 highway agreements.</p> <p>CEG notes that the planned Strategic Road Network improvements to the A27 Chichester Bypass junctions are excluded from funding by CIL. This seems to be a wholly unjustified position when this is exactly the type of strategic 'off-site' infrastructure that CIL is intended to support.</p> <p>The Infrastructure Delivery Plan 2014-2029, provided as background evidence to the Draft Charging Schedule, identifies the A27 Junction improvements as infrastructure necessary to support the delivery of development envisaged in the Local Plan. With a cost of £12.8 million, it is the largest item of planned transport infrastructure improvements by some considerable margin, and amounts to some 18% of the total identified cost of infrastructure needed in the District.</p> <p>Given the scale of this infrastructure requirement and the fact that it will serve the District as a whole, we would not regard this as infrastructure that should be funded through individual planning obligations. The latter should, as required by Regulation 122 of the Community</p>	<p>The PBA Viability Assessment took account of the Draft Regulation 123 in its assessment. Including the costs of funding the A27 from S106/S278. This change in funding mechanism was made to take into account the guidance reproduced below, and representations received to the PDCS from Savills that indicated that the SDAs preferred to provide the majority of infrastructure through the S106/S278 route.</p> <p>The NNPG says:</p> <p>Where the levy is in place for an area, charging authorities should work proactively with developers to ensure they are clear about the authorities' infrastructure needs and what developers will be expected to pay for through which route. There should be no actual or perceived 'double dipping' with developers paying twice for the same item of infrastructure.</p> <p>Contributions for highway works that are secured through section 278 of the Highways Act are not subject to the pooling restriction.</p>	No modification considered necessary

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									<p>infrastructure Levy Regulations 2010 (as amended) and explained in the Planning Practice Guidance, be scaled back to those matters that are necessary to make a development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.</p> <p>Furthermore, given the limitations placed on the pooling of planning obligations in place from April 2015, it would not seem possible or practical to fund the A27 improvements via s106/s278.</p> <p>We are concerned that, in seeking to do so, it would create an undue financial burden on individual sites that are required to pay both the proposed high CIL charge and contribute to financing this strategic infrastructure. It is notable also that the Infrastructure Delivery Plan does not identify any developments that would be required to pay for the A27 improvements (whereas other necessary infrastructure is listed against the strategic sites).</p> <p>CEG therefore requests this item of strategic infrastructure provision be incorporated in the list of projects to be funded by CIL within the Regulation 123 list. If not, and as set out above, the viability analysis must be undertaken again to take into account this significant additional cost.</p> <p><u>Suggested modifications</u> CEG suggests that the planned Strategic Road Network improvements to the A27 Chichester Bypass junctions are incorporated in the list of projects to be funded by CIL within the Regulation 123 list. The viability assessment must reflect the mechanism for funding this infrastructure improvement within its cost assumptions.</p>	<p>Section 278 agreements (under the Highways Act 1980) are made between a highway authority and a person who agrees to pay all or part of the cost of highways works. The regulations help to ensure that section 278 agreements cannot be required for works that are intended to be funded through the levy. The regulations do this by placing restrictions on the use of planning obligations and conditions where a local authority has an infrastructure list. Planning obligations and conditions should not be used to require a developer to enter into section 278 agreements to provide items that appear on the charging authority's Regulation 123 list.</p> <p>These restrictions do not apply to highways agreements drawn up by the Highways Agency (or any subsequent body on behalf of the Secretary of State for Transport), the Welsh Ministers or Transport for London. These bodies are responsible for the strategic road network, undertaking works that in terms of their scale and nature are not suitable for funding through receipts from the levy.</p>	
HOW WILL THE LEVY BE COLLECTED? (3 representations)											
3	Mr Alistair Impey	4 How will the levy be collected			✓		✓		<p>There are already significant shortfalls in existing infrastructure in the Manhood Peninsular. No new development should take place until the increased infrastructure is available. The CIL is supposed to partly fund this improved infrastructure so surely no development should be approved until all the required CIL has been collected and the improved infrastructure installed.</p> <p><u>Suggested modifications</u></p>	<p>This comment relates more to the spending of the CIL rather than to the Draft Charging Schedule itself.</p> <p>CIL is collected upon commencement of development in accordance with the CIL Regulations.</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									Builders wishing to develop housing on the Manhood Peninsular should be allocated their entitlement for development over the period covered by the development plan and pay the full CIL in advance. Any developer who is not prepared to pre-finance the required infrastructure should not be given planning permission over the life of the plan. No actual development should be authorised to commence until the CIL has been collected from all participating developers and the improved infrastructure installed.	The Council disagrees with this suggested modification. It would not comply with government guidance on CIL as it would render development unviable.	
19	Mr. David Robinson	4. How will the levy be collected? Para 4.7				✓	✓		In para 4.7 the phrase " <i>Payments in kind will normally only be considered for land or provision of infrastructure in excess of that needed to deliver the infrastructure required by the development</i> " is not understood as only the delivery of infrastructure required by the development is properly chargeable. <u>Suggested modifications</u> Delete the relevant text.	The Council disagrees that this text should be deleted. Provision of Infrastructure as a 'payment in kind' is for instances where the infrastructure is needed on a particular site to meet the needs of the growth of the wider plan area, rather than that directly generated by a particular development. For example a medical facility is needed on a Strategic Development Location (SDL). However, this need is as a result of several new developments in the locality, not solely as a result of the SDL. In return for providing the land and/or new building the developers will receive a CIL credit to the value of the infrastructure provided.	No modification considered necessary
21	Mr. David Robinson	4. How will the levy be collected? Para 4.1				✓	✓		This should refer to the Royal <u>Institution</u> of Chartered Surveyors. <u>Suggested modifications</u> Amend the text.	Agree: this should be corrected.	This error needs to be corrected as a minor modification
EVIDENCE BASE (4 representations)											
18	Mr. David Robinson	5. Evidence Base Para 5.3		✓			✓		In para 7.1 it is stated that " <i>Informed by the relevant background evidence the Council proposes to set differential rates of CIL for different intended uses of development and different geographical areas based on economic viability</i> ." However, the Peter Brett Associates report only identifies 200 new dwellings being provided on identified sites within the northern part of the district compared to 3,550 in the southern part (5.3%/94.7% respectively). The report also states that there are areas within the south of the district where	The Council disagrees that there is insufficient justification to set a differential CIL charge between the south and north of the Local Plan Area. The viability evidence supports two charging zones as land values north of the National Park are much higher than values to the south of the district.	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>property/land values substantially exceed those in other parts of the south. For these reasons it is not believed that there is adequate justification for introducing different rates of CIL between the north and south unless the higher rate will also apply to those areas within the south where higher values exist. To do so would add undue complication. Consequently, it is believed that a single rate should apply to all housing developments throughout the district.</p> <p><u>Suggested modifications</u> Para 7.1 and table 7.1 should be amended to apply a single rate of CIL of not more than £120 per m² throughout the whole of the district and other consequential amendments will be required elsewhere to reflect this change.</p>		
20	Mr. David Robinson	5. Evidence Base Para 5.3				✓	✓		<p>In para 5.3 it is stated that " <i>The Chichester District Council Plan Viability study update (September 2014) estimated that for the Local Plan period the total Infrastructure Funding Deficit (for items where costs are known) without CIL stands at approximately £52m. With the anticipated CIL receipts the gap narrows to approximately £18.5 million.</i>" This implies that CIL will deliver £33.5m of infrastructure (64.4% of the total). It is not believed that the development that is to be provided within the Plan period will necessitate total contributions representing 64.4% of the total existing and future infrastructure deficiencies within West Sussex (excluding the National Park). Consequently, it is clear that part of the monies to be generated through CIL will be to make up for pre-development existing infrastructure deficiencies, which is contrary to the principles of the CIL Regulations.</p> <p><u>Suggested modifications</u> The data base needs to be reviewed and the amount to be raised through CIL should be reduced so that it only provides for the cost of infrastructure improvements that will actually be generated by the new development.</p>	<p>The Council disagrees with the assertions made in this representation.</p> <p>The Council does not intend to use the CIL to make up for existing infrastructure deficiencies, but rather support the growth of the plan area as identified in the emerging new Local Plan during the plan period. Many CIL items remain uncoded because insufficient information has been provided by the infrastructure providers to date. The IDP is a living document and will be updated as costs become known.</p>	No modification considered necessary
43	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	5.Evidence Base Viability Assessment para 5.15				✓	✓		<p>Landowners aspirations We would support this assertion, where landowners consider that there is a prospect of securing developments on their site that yield a high value, their aspirations to secure higher land values will be prevalent. Land owners are likely to "hold out" until they have explored their potential returns fully, and may not sell the site if the proposed returns are below their expectations.</p> <p>In the case of retail developments, landowners are likely to</p>	<p>The convenience retail benchmark land values are in excess to those for residential land. The Council has therefore taken into account the potential uplift sought by landowners for such a use.</p> <p>Convenience retail has been subject to section 106 agreements that govern a contribution to on-site and</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>hold out for the highest value and are unlikely to accept a reduction in their land value for CIL.</p> <p>The NPPF assertion on the need to provide competitive returns to a willing land owner are noted and agreed with. We would also note that where landowners consider that there is prospect of securing higher value uses at their site; their aspirations to secure higher land values will be prevalent. Land owners are likely to "hold out" until they have explored and maximised their potential returns fully. We consider that this needs to be taken into account when assessing and setting the benchmark land value.</p>	<p>wider infrastructure development. This cost has been shared by the landowner and developer. CIL will function in the same way.</p> <p>The viability evidence confirms that the proposed CIL charge is appropriate to the type of development proposed and does not put delivery at risk.</p>	
58	Savills Mr Robert Steele representing: Bloor Homes; Linden Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey	5. Evidence Base Para 4.7				✓		✓	<p>With regard to "Payments in Kind" there are no details on how the Council intends for this to operate, what the parameters will be, and the likely circumstances of such an arrangement.</p>	<p>Provision of Infrastructure as a payment in kind is for instances where the infrastructure is needed on a particular site to meet the needs of the growth of the wider plan area, rather than that directly generated by a particular development.</p> <p>For example a medical facility is needed on a Strategic Development Location (SDL). However, this need is as a result of several new developments in the locality, not solely as a result of SDL. In return for providing the land and/or new building the developers will receive a CIL credit to the value of the infrastructure provided.</p>	No modification considered necessary
VIABILITY ASSESSMENT (15 representations)											
42	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6. Viability Assessment Paras 3.4 – 3.14				✓		✓	<p>Application of CIL rates We would support the view that an 'appropriate balance' should be found so the Council is able to maximise the quantum of development in the area. If the CIL rate is too high, this will impact the rate of development due to CIL charges making development unviable. However if CIL charges are too low, development will be unviable due to insufficient infrastructure provision. Therefore finding an 'appropriate balance' is essential for development and delivery of the Plan.</p> <p>Setting the CIL lower than the margins of viability is made explicit in the DCLG</p>	<p>The proposed rates for retail development in Chichester are lower than nearby Worthing, which has passed examination with a retail CIL charge of £150. The viability of retail development from previous work would suggest viability is similar across the UK as value is driven by covenant strength rather than local market conditions.</p> <p>The CIL rate is similar to other convenience charges in the South East.</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>CIL Guidance (December 2012, p10) where it states that, "A charging authority's proposed levy rate (or rates) should be reasonable given the available evidence, but there is no requirement for a proposed rate to exactly mirror the evidence, for example, if the evidence pointed to setting a charge right at the margins of viability. There is room for some pragmatism."</p> <p>"Charging authorities should avoid setting a charge right up to the margin of economic viability across the vast majority of their site in the area"</p>	Chichester's CIL rate has not been set right up to the margin of economic viability, a significant buffer has been provided.	
44	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6. Viability Assessment Viability Study Chapter 4 paras 5.6 – 5.15				✓		✓	We agree with the adopted approach for estimating threshold land value. The use of the residual valuation method is recommended by RICS guidance and the Harman report and benefits from being based upon comparable market evidence. This provides a more accurate view of land value as stated in the report (para 4.9) 'a rational landowner will always seek to maximise site value'. This approach is therefore highly dependent upon use of appropriate comparable revenue evidence and cost assumptions in its appraisal analysis which we discuss in our comment about retail revenue assumptions.	Noted	No modification considered necessary
45	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6. Viability Assessment Viability Study – retail Assumptions				✓		✓	<p>The earlier November 2013 Viability Study a base rent of £183 psm, however no evidence had been provided and the same rental figure had been adopted for both the small and large format store. The latest September 2014 Viability Study provides comparable evidence for convenience rents, providing an average of £234 psm, which is an increase of £51.00 psm on the previous appraisals. This is a significant increase of 27.87%. We note the comparable evidence includes convenience rents from 2013 in locations such as Cambridgeshire, London, Milton Keynes and Perth. Clearly each location would be assessed on its own merits and with increased competition food operators will examine trade potential carefully in formulating their offer for any site/property.</p> <p>We also consider rental data from 2013 to be too historic when considering that in 2014 the larger foodstore operators including Tesco, Sainsburys and Morrisons have experienced difficult trading conditions with significant reductions in performance and losses being made. This has resulted in significantly lower returns to shareholders</p>	<p>The viability evidence is based on identified transactions in the public domain. Yields and rents have shown little variation over a 3 year period.</p> <p>Although some operators have signalled a reduction in future expansion plans, the Council does not have evidence that shows this is translating into lower rents or softened yields.</p> <p>It has been widely reported that although the middle market convenience operators have had some difficulty, other brands have performed much better at the high and low end offers.</p> <p>The CIL proposed is only a small proportion of overall development costs. It does not have a material</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>and significant falls to investor sentiment which has resulted in a re-evaluation of the sector by investors. Indeed both Tesco and Morrisons have announced store closures and the rate of larger foodstore development has reduced significantly. Therefore more current data is needed which will inform the CIL setting process and it is likely that by revising the assumptions particularly in terms of rental levels and investment yield this will affect the level selected for CIL. At the present time the CIL is being based on historic assumptions and it is considered at these levels there is a genuine prospect that development of larger stores (i.e. over 465sqm) will not occur due; this would be harmful to Chichester in terms of it providing services and jobs to the local economy.</p> <p>Examination of current data will indicate that the CIL levels for smaller convenience stores and those associated with larger stores are now at variance.</p>	<p>impact on the viability of small or larger stores.</p>	
46	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6.Viability Assessment Viability Study – Cost Assumptions				✓		✓	<p>Cost Assumptions</p> <p>As stated in our previous representation, a number of appraisal cost inputs need to be reviewed. In addition to the comments in representation 45, the following aspects should still be considered:</p> <ul style="list-style-type: none"> • Build Costs - The appraisals at Appendix B have adopted a built cost of £1,171 psm for the 465 sqm store and £1,398 psm for the 4,000 sqm store. However, we have obtained BCIS rates for the fourth quarter of 2014 and rebased the location to Chichester which suggests a median rate of £1,508 psm for supermarkets between 1,000 and 7,000 sqm and £1,204 psm for smaller stores up to 1,000 sqm. We therefore argue that the build costs used within the viability appraisal are too low. • Demolition/Site Preparation/Planning Fees – No allowance has been made for these costs in the latest appraisals. • Professional Fees – A figure of 8% has still been used within the appraisals. As before, we would expect professional fees to be between 10 – 12.5% of costs to reflect the complexity of convenience schemes. 	<p><u>Build costs</u> The BCIS index is showing variation. As at February 2015, the build cost (re-based for the SE is showing a build cost of £1,437 for 1,000 to 7,000m² for the mean rate, and 1,432m² for up to 1,000m² for the convenience up to that size. The variation in costs can be accommodated as we have set the charge well within the buffer of viability.</p> <p><u>Demolition/Site Preparation/Planning Fees</u> The viability benchmark land values assume a fully serviced site free of abnormal costs. It has been assumed that demolition and reclamation costs will be reflected in the overall acquisition figure as it is impossible to calculate a generic figure for such a</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<ul style="list-style-type: none"> Planning Obligations – No allowance has been made for these in the latest appraisals. 	<p>site specific cost item.</p> <p>Planning fees are included in the professional fees allowance. The figure assumes a policy compliant scheme in the context of the local plan.</p> <p><u>Professional fees</u> Convenience developments are relatively generic and are not necessarily complex. Exceptional fees should be reflected in the land price.</p> <p><u>Planning Obligations</u> Some of the planning obligations will be covered by the CIL when the levy is adopted (as identified in the Regulation 123 list). The viability assessments have assumed a nominal S106 allowance of between £5,000 and £10,000 for each scenario.</p>	
47	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6.Viability Assessment Viability Study – Benchmark Land Value page 76 table 14-4				✓		✓	From the table at Para. 14.24 (page 76) it appears that a benchmark land value of £5.282m has been adopted which has been increased from the earlier Viability Appraisal. This increase brings the land values to a more realistic level.	Noted	No modification considered necessary
48	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6.Viability Assessment – Recommended retail charging rates – page 2 para 1.8				✓		✓	<p>We note that the recommended retail charging rate of £125 is still in place for retail which is wholly or mainly convenience use, despite the change in some of the appraisal assumptions.</p> <p>We still consider this charge too high as it risks rendering convenience retail unviable. This is especially the case for large convenience retail as the ceiling rate is only £195 psm (Table 14-4) which leaves little margin for fluctuation in costs or values which will impact adversely upon the ability to pay CIL. The buffer being proposed here could</p>	<p>The buffer referred to is approximately 33%. This is after alterations to the benchmark land value and is regarded as appropriate for this type of development.</p> <p>The Council notes that as well as variations in yield, costs and values, other changes could of course improve viability.</p> <p>It should be noted that the proposed charge as a percentage of value is:</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>easily be wiped out.</p> <p>This is an issue the viability report discusses earlier in paras 3.4 to 3.14. As discussed above in our first comment, it is important to achieve an 'appropriate balance' between ability to pay CIL so as to ensure development does not become unviable whilst ensuring development does not become unviable whilst ensuring CIL payments are sufficient so the infrastructure required in order to ensure successful development is achieved across the local authority area.</p> <p>This demonstrates the need to provide some sensitivity analysis along with differentiation in CIL rates applied based upon unit size.</p>	<p>2.75% on the 465m² format and 2.45% on the 4,000m² format. Sensitivity testing at such low charging levels would be to a degree inconclusive.</p>	
49	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6. Viability Assessment – retail Unit size assumptions – page 74, para 14.18				✓		✓	<p>Retail Unit Size assumptions We note that the same two convenience typologies have been examined as follows: · A larger out of town centre grocery store of 4,000 sqm GIA; · An in-town Metro-style grocery store of 465 sqm GIA scheme.</p> <p>The viability report still does not supply an explanation as to why these specific sizes have been selected. We would consider that most foodstore operators would have formats which are significantly larger, and thus would involve greater land take and indeed additional costs of development. A typology in the order of 5,000 to 6,000 sqm would be more appropriate for a larger store.</p> <p>We would like to refer here to recent amendments to Regulation 13 (differential rates) of the CIL Regulations 2014 which now allow charging authorities to set differential rates within their area. In particular we would like to draw attention to the insertion in Part 3 (after regulation 13 para (1) (b)) to include (c) by reference to the intended gross internal area of development. This amendment has now been made as a statutory instrument and as such we feel that it should be given more weight when assessing CIL rates for new commercial development.</p>	<p>Previous work has shown that there is not a significant difference in viability from 4,000 to 7,000 m². It is also suggested that the large formats could benefit from economies of scale as build costs are reduced and agglomeration benefits around sales are achieved by operators.</p> <p>Although the CIL regulations do allow for charge variation by size, the Council does not want to make the charging schedule over complex and therefore propose a uniform rate based on the testing undertaken.</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>We would strongly suggest that alternative retail scenarios are included for viability testing in addition to the 4,000 sqm and 465 sqm units tested for example:</p> <ul style="list-style-type: none"> · Medium sized unit of 1,500sqm · Maximum unit of 5,000 – 7,000sqm 	Further testing of other formats is unlikely to draw different results.	
50	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6.Viability Assessment – Site Density – page 76 table 14-4				✓		✓	<p>Site Density The site area has increased to 1.33 Ha for a larger store sized 4,000 sqm, which provides a site density of 30%. We think this is acceptable as it provides space to accommodate necessary landscaping and car parking provision, and therefore generates less revenue to accommodate CIL payment.</p>	The Council disagrees that larger formats are less viable or affect the ability of convenience retail the proposed CIL charge.	No modification considered necessary
51	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6.Viability Assessment				✓		✓	<p>Sensitivity Testing There does not appear to be any sensitivity analysis provided to allow for market fluctuations on sensitive variables such as rental value, yield and build costs.</p> <p>Sensitivity analysis of these variables is essential in order to understand how small market fluctuations can have a big impact upon development viability. For example a small shift of just 0.25% on the yield can have a significant impact.</p> <p>We note in the Community Infrastructure Levy – Preliminary Draft Charging Schedule- March 2014 Executive Summary it is the Council's intention to apply a rate of inflation based on the BCIS Index – see "How the charge will be calculated". We are aware that BCIS forecasts are already predicting high levels of build cost inflation and thus we would expect some sensitivity testing to have taken place which would validate the level of CIL proposed. Without such testing we consider that the CIL level cannot be found sound.</p> <p>We recommend that sensitivity tests are undertaken and used to review the proposed CIL rate of £125 psm as we consider this doesn't allow for a sufficient buffer on the CIL rate applied and would not accommodate any such market fluctuations that may render a development scheme unviable.</p>	<p>The proposed rates for retail development in Chichester are lower than nearby Worthing, which has passed examination with a retail CIL charge of £150. The viability of retail development would be assumed to be similar to this nearby authority.</p> <p>Chichester's CIL rate has not been set right up to the margin of economic viability, a significant buffer has been provided.</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
52	Wm Morrison Supermarkets Plc Aspinall Verdi Mr Atam Verdi	6.Viability Assessment				✓		✓	<p>We are pleased to have been given this opportunity to comment on the Chichester District Council Proposals and would like to register our interest in receiving details of the Charging Schedule.</p> <p>The work undertaken to date has been substantial, however in our view makes several optimistic assumptions. Further work and revisions are needed in order to reflect the observations above and particularly:</p> <ol style="list-style-type: none"> 1. We would recommend that the report is reviewed to be made clearer and more explicit. 2. Based upon our earlier comments we would like to question the following appraisal assumptions: <ol style="list-style-type: none"> a. Build costs should be increased to reflect BCIS up to date costs for supermarket construction. b. No allowance has been made for planning fees/costs, or demolition/site preparation costs which can be considerable. c. We would support the use of 10% (not 8%) to allow for professional fees given the complexity of such retail schemes. d. The allowance for section 106 is too low. e. The allowance adopted for contingencies is too low, particularly given that the consultants have made no allowance for demolition and site preparation. 3. We feel that it would have been more appropriate to have reviewed a range of unit sizes to reflect the differential CIL rates applicable on each size, this is something that CIL currently allows for. 4. It is essential that a sensitivity analysis is included to consider a combination of assumptions i.e. rent, yield and build costs; the findings should then be used to test whether an appropriate buffer has been allowed for when setting the CIL Charge. 	<p>The convenience retail sector is still extremely strong within the UK despite some of the middle market operators reporting worse than expected sales figures. It is not uncommon for shifts in performance within the main operators as each seeks to maximise market share</p> <p>A long term shift away from larger stores may be in the offing but the majority of existing stores perform well backed by solid covenants. Strong growth and expansion in the small to medium sized stores is expected to continue.</p> <p>The Council has previously provided comments on the particular variable used but would highlight that</p> <ul style="list-style-type: none"> • The proposed CIL charges are less than 3% of total GDV • Chichester DC does not want to overcomplicate convenience retail charging with varying rates by size. 	No modification considered necessary
33	Martin Grant Homes Mr. Matthew	6. Viability Assessment Para 6.1			✓			✓	<p>Benchmark Land Values</p> <p>It is unclear as to what evidence has been utilised to arrive at the benchmark land values within the PBA (October</p>	<p>The evidence used is based on readily available evidence in the public domain.</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	Spilsbury								2014) Chichester CIL Viability Study2 ('the Viability study').		
35	Martin Grant Homes Mr. Matthew Spilsbury	6. Viability Assessment Para 6.4			✓		✓		<p>Undefined Buffer</p> <p>Martin Grant Homes set out a major concern that the scale of 'buffer', setting CIL back from the margins of viability, had not been defined in any documentation published within the CDC CIL PDCS.</p> <p>PPG requires that such a 'buffer' is introduced and that the Charging Authority should be able to explain the approach to this clearly at Examination in order to enable consideration within the Regulation 14 'balance' test.</p> <p>Table 8-1 on page 44, suggests a buffer of circa £40 per square meter for residential development with 30% affordable housing in the area to the south of the National Park. However, given the concerns Martin Grant Homes has set out with regards to both the understating of land values, and over-estimation of residential sales values, this margin is anticipated to be far smaller for sites to the south of the National Park.</p> <p>The scale of 'buffer' is variable between Charging Authorities, and is an issue that continues to be taken very seriously by CIL Examiners. The scale of buffer ranges from a minimum of 25% (e.g. Havant), 30% in Horsham, to 30%-32% in East Hampshire (following an increase from 20% following consultation on the CIL PDCS).</p> <p>Given the relatively high proposed CIL rates for residential development it is strongly advised that a minimum buffer of 30% across all locations and scenarios is demonstrable by CDC and PBA.</p>	The viability report provides the reasoning for a non-mechanical approach to setting the CIL within the 'buffer'	No modification considered necessary
28	Arun District Council	6. Viability Assessment Para 6.1				✓	✓		It is noted that paragraph 9 of the Viability Assessment sets out that the Build Cost assumptions take into account the cost of building to Code Level 5. However, it should be noted that the Government's Housing Standards Review Technical Consultation (September 2014) sets out that, as part of the incorporation of Code for Sustainable Homes	Noted. This means that development would be more viable than assessed, thus creating a larger buffer from the margins.	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									into Building Regulations, energy efficiency requirements will not be set over Code Level 4.		
29	Arun District Council	6. Viability Assessment Para 6.3				✓	✓		It is understood that there is better understanding of servicing and infrastructure costs relating to the development of strategic sites. Therefore a benchmark land value (defined as: "the estimated minimum a developer would typically need to pay to secure a site of this kind") approach has been used for the assessment of these sites instead of the threshold land value approach (defined as "the amount of money a landowner will need in order to sell his or her land"), which has been used for the generic residential viability assessments. It is not clear why an overall assumption of servicing and infrastructure costs (the use of Benchmark Land Value) cannot be applied to the generic appraisals to allow for a more consistent land value/viability appraisal approach.	The Council disagree that a generic approach can be taken to site servicing costs.	No modification considered necessary
54	Savills Mr Robert Steele representing: Bloor Homes; Linden Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey	6. Viability Assessment			✓			✓	The consortium comprising Bloor Homes, Linden Homes, Miller Homes, Seaward Properties Ltd, and Taylor Wimpey, is not convinced that the assumptions used in the PBA viability appraisals are appropriate and robust. Section 4 of Savills representation outlines this position in detail. Savill's is also concerned that the testing of the Strategic Sites is not adequate as appropriate fine-grained testing has not been undertaken. <u>Suggested modifications</u> A differential rate should be set for Strategic Sites, plus lower rates to be set differentially across the District for all other residential development to account for the fluctuations in the market based on locality.	The viability assessment was re-run using information provided by Savill's., and after meetings with Savill's. Savill's was invited to work with the Council and to provide comments on the revised viability assessment before it was published. No additional information was received, it is thus disappointing that Savill's have chosen to raise concerns at such a late stage in the process.	No modification considered necessary
THE DRAFT CHARGING SCHEDULE (12 representations)											
1	Chichester City Centre Partnership	Para 7.2 The Draft Charging Schedule		✓			✓		The Business category is not shown to include Class B1a (offices) which should also qualify for a £0 per m2 charge as they are currently unviable and unable to support additional costs. <u>Suggested modifications</u> Amend the schedule to include B1a in the Business category or just refer to B1 without sub-categories.	This is covered by the Standard Charge (applies to all development not separately defined) set at £0m ²	No modification considered necessary
2	Mr Alistair	7 The Draft Charging			✓		✓		The amount of the proposed levy is totally inadequate to finance the required developments to enable any	The CIL is meant to contribute to the cost of infrastructure rather than being	No modification considered

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	Impey	Schedule							<p>sustainable development of housing on the Manhood Peninsular.</p> <p><u>Suggested modifications</u> The levy should be increased by a factor of at least 10, if not more, so that significant sums can be made available to finance the addition infrastructure required to make the new developments sustainable.</p>	<p>the sole funding source.</p> <p>The CIL charges have to be set at a level that is viable, and not set to the margins of viability. The draft charges have been set in accordance with the up to date viability evidence.</p>	necessary
15	The Theatres Trust Mr. Ross Anthony	7. The Draft Charging Schedule	✓				✓		<p>The Theatres trust supports the nil rate for 'Standard Charge' development in Table 7.1. The provision of D1, D2 and some sui generis types of community facilities usually depend on public investment or subsidy in one form or another in order to be delivered, even when privately operated. They are therefore inherently unviable in developer terms, even without the imposition of CIL. Rather than helping fund CIL, these developments are funded by CIL.</p>	Support noted	No modification considered necessary
22	Blue Cedar Homes Mr. Simon Tofts	7. The Draft Charging Schedule		✓			✓		<p>These Submissions are made on behalf of Blue Cedar Homes, a private retirement homes specialist operating in the South West of England. As such, this representation is made in respect of the residential development element of the Draft Charging Schedule.</p> <p>Applying a CIL rate on retirement developments will constrain the delivery of schemes.</p> <p>Specialist accommodation, such as retirement housing, should also have its own separate development scenario and not be amalgamated into a general residential levy rate. Moreover, specialist accommodation is not like conventional housing and a uniform CIL rate applied to all forms of residential development could potentially render all development of this type unviable in the Authority. I suggest C3 sheltered/retirement housing is subject to an Authority wide zero/nil rate of CIL.</p> <p><u>Suggested modifications</u> I suggest C3 sheltered/retirement housing is subject to an Authority wide zero/nil rate of CIL.</p>	<p>The viability study relates to the market in Chichester, which is consistently strong. Viability needs to be undertaken on an authority by authority basis as viability can vary between different authorities and even within different parts of the same district.</p> <p>The CIL cannot be reduced for policy reasons, only on viability grounds. No evidence has been to show that retirement housing is unviable.</p>	No modification considered necessary
53	Brookhouse (Chichester) Ltd Savills Mr	7. The Draft Charging Schedule Viability Study & DCS Table 7.1 Proposed CIL			✓			✓	<p>We raise concern that the costs with developing a supermarket and comparison retail space are not accurately reflected in the viability calculation and that the appraisals effectively assume a clean site with no issues. Many sites in Chichester have issues around Flood Risk, Highways, Foul Drainage Capacity and Water Supply</p>	<p>The viability study has set CIL well back from the margins so very few sites are likely to be unviable. Brownfield sites are worth less than greenfield sites, so the developer should work out the costs for clearing</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written reps	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	Matthew Sorbic	Charges							<p>Capacity. These issues result in significant mitigation works and an assumption of 10% of costs for other construction and 5% contingency do not accurately reflect abnormal costs. These are effectively standard site development costs, no allowance for any abnormal costs have been made. Additionally, my client's site is a former Landfill and quarry site which adds further significant redevelopment costs that would not be factored into the viability study. There are significant remediation costs associated with the Barnfield Drive site.</p> <p>We therefore contend that the proposed retail CIL rates have the potential to make many developments, not just my client's, unviable and puts at risk investment in the area. We would suggest that the appraisals are revised to include an allowance for abnormal costs and we would happily discuss the actual costs on our site with your consultant. The impact of these revised appraisals would be a reduction in the proposed retail CIL rates to more realistic figures.</p> <p>We would also like to suggest that the Council look to build flexibility into their CIL charging rates to allow developers the opportunity to put forward site specific issues that could impact on the amount of CIL they are able to pay. This approach would allow issues relating to excessive abnormal costs to be dealt with on a site by site basis.</p>	and cleaning up the land and negotiate the price paid for the land taking these factors into account from the outset. The benchmark figure is based on a fully serviced site without planning permission. Site specific costs and abnormal costs would be reflected in the actual purchase price paid.	
34	Martin Grant Homes Mr. Matthew Spilsbury	7. The Draft Charging Schedule Table 7.1			✓		✓		<p>Martin Grant Homes submitted its concerns, regarding the CIL rate of £120 per square meter for residential development in the South of the District, within representations made to the CDC CIL PDCS consultation.</p> <p>Specifically, Martin Grant Homes highlighted the following deficiencies with the PBA Plan Viability (November 2013) report, which formed the CIL viability evidence base:</p> <ul style="list-style-type: none"> • Residential value evidence failed to represent comparable market information from new build development and therefore is not sufficient to support the approach to zoning proposed. • Residential value evidence presented lacks consistency with the approach to zoning proposed, for it actually supports the introduction of several CIL charging zones across the South of the District. 	The Council considers that robust sales information has been used in the viability assessment.	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with regards	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>• It is unclear how the residential sales value evidence has been translated into the £ per sqm values set out within Table 5.2 and used to underpin the viability assessment for CIL charging. It was requested that further explanation was provided by PBA and CDC.</p> <p>Martin Grant Homes submitted more 'fine grained' transactional evidence from Land Registry that demonstrated that the residential sales market across the South of the District shows significant differentiation in the values achievable. Specifically, the values in Selsey, Chichester (and surrounds), East Wittering and Southborne are significantly below those achievable in Bosham and West Wittering. Analysis of new build asking prices on Rightmove.co.uk supported this. Supplementary engagement was undertaken with local agents, which also verified the conclusions reached. This evidence is presented within Appendix 1 and should be read in conjunction with this representation.</p> <p>Despite the representations made, the CDC CIL DCS has proceeded to retain the same approach set out within the PDCS. PBA has prepared additional supporting viability evidence within the PBA (October 2014) Chichester CIL Viability Study5 ('the Viability Study'). However, Martin Grant Homes' concerns have not been addressed.</p> <p>In fact, Table 6-2 of the PBA Viability Study actually proposes an increase in the value of residential houses in the South of the District from £3,200 per square meter to £3,300 per square meter for the purposes of viability assessment.</p> <p>Again, reference is made to Land Registry, but the evidence has not been published and nor has any specific evidence of new build asking prices or sales values local to the area been presented.</p> <p>The PBA Viability Study states within Table 6-2: "This data is then supplemented following conversations with agents and house builders' sales representatives, which allows us to form a</p>		

ID	Consultee	Consultation Point	Support	Support with regards	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>view on new build sales values.”</p> <p>However, no record of the conversations or details of stakeholders consulted is presented within the PBA Viability Study to demonstrate the link between this process and the end-values utilised to inform viability assessment. It is the continued view of Martin Grant Homes that this fails to constitute the use of 'appropriate available evidence' and demonstrates an opaque and overly simplistic process.</p> <p>Paragraphs 8.6 – 8.7 of the PBA Viability Study elaborate on this. This suggests that the price increase applied reflects the generic rate of sales price increase across the District. However, it does not confirm what actually constitutes 'the area' or the 'relevant period' or the data source used to justify this uplift from £3,200 to £3,300 per square meter: “...we updated sales values in our model by the average rate of sales price increase for the area over the relevant period.”</p> <p>Martin Grant Homes therefore requests that the above queries are clarified and supported by the appropriate evidence.</p>		
32	Martin Grant Homes Mr. Matthew Spilsbury	7. The Draft Charging Schedule Table 7.1 Proposed CIL Charges			✓			✓	<p>The respondent does not believe that the CDC's proposed approach to residential CIL charging rates as set out in the CIL DCS has been prepared in accordance with, or meets the requirements of, either the CIL Regulations 2010 (as amended) or the CIL Guidance (2014) contained within PPG.</p> <p>Despite representations being made by Martin Grant Homes and other industry stakeholders to the CIL PDCS consultation, CDC has continued to proceed with the approach proposed in the PDCS.</p>	The Council does not agree with the assertion that the approach to the residential CIL DCS does not accord with either the CIL Regulations or CIL Guidance contained within the PPG and notes that the respondent has not provided an explanation as to which regulations or guidance are contravened.	No modification considered necessary
30	Arun District Council	7. The Draft Charging Schedule Map 1.1 and Table 7.1				✓	✓		<p>It has been noted that Map 1.1 of the Draft Charging Schedule is not consistent with Table 7.1 Proposed CIL Charges. The map shows areas 'north and south of the National Park' but the proposed CIL charges refer to a geographical variation based on "South of the District" and "North of the District". Although it should be clear where</p>	Agree: the wording of the table and map need to be consistent.	The wording of the table will be made consistent with the map and needs to be corrected as a minor modification

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									the different charges apply, it may be helpful for the wording used for the map and proposed rates to be the same. This may avoid confusion in the application of the charge once implemented.		
38	Commercial Estates Group and DC Heaver and Eurequity Ltd	7. The Draft Charging Schedule Table 7.1 Proposed CIL Charges			✓			✓	<p>CEG is clear that the delivery of strategic sites is dependent on the provision of necessary infrastructure, whether that is transport, social or community infrastructure. Each of these is part and parcel of the development costs that CEG, as promoter of the development at Westhampnett / North East Chichester Strategic Development Location, is committed to funding.</p> <p>CEG acknowledges that some further attention has been given to strategic sites within the updated viability assessment by Peter Brett Associates (PBA) (September 2014), which is necessary given the strategic importance of these sites in delivering the development envisaged in the emerging Local Plan and in meeting the housing need in the District.</p> <p>CEG, however, considers that the proposed £120/m² CIL charge for residential development is unacceptably high and unrealistic. The evidence is not yet sufficiently robust to derive the proposed figure for a residential CIL rate, either on strategic sites or on housing sites generally. The underlying viability evidence continues to ignore the complexity of large sites, with modelling based on smaller schemes, and CEG contends that a properly tested 300 to 500 dwelling scheme scenario would show a £120/m² charge is not viable.</p> <p>We would also cross-refer to the draft Regulation 123 list, which excludes the £12.8 million planned improvements to the A27 Chichester by-pass from being funded via CIL. Instead, it is proposed to be funded via planning obligations and/or highway agreements. Given the assertion in the PBA report that planning/highways obligations will be scaled back, it is understood that the assumed level of residual s106/s278 contribution in the viability assessment has not taken account of this item of strategic infrastructure investment, which would be a significant omission in the cost assumptions, with implications for the level of CIL that could be borne by residential development. [NB. As argued below, the</p>	<p>The strategic sites have been tested based on the readily available evidence.</p> <p>It is accepted that some of the infrastructure issues have yet to be established in their final format but note that due to the nature of the site in question and the potential values that can be achieved there is no evidence as yet to consider a variation to the standard charge.</p> <p>As previously reported Chichester has consistently delivered 40% affordable housing with levels of section 106 in the region of £8,000 per unit.</p> <p>The new Local Plan has reduced the level of affordable housing from 40% to 30% to create headroom for the CIL to fund wider infrastructure growth in the plan area.</p> <p>The financial impact of the CIL reduction is substantial. Based on the evidence presented at the Local Plan, Examination, a reduction of 10% in the affordable housing target creates an additional headroom of £143m² of overage on 50 and 100 unit schemes in the low value area.</p> <p>The CIL charge is 83% of this figure.</p> <p>The £8,000 per unit section 106 costs were based on historic analysis of charging in Chichester for comparison only. In practice many previous S106 items will now be accommodated</p>	No modification considered necessary

ID	Consultee	Consultation Point	Support with regards	Support with regards	Object Comments	Have Comments	Written Comments	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>proposal to fund the A27 improvements by s106 is inappropriate, with CIL being the correct mechanism by which to secure the single biggest item of planned strategic transport infrastructure works in the District. The mechanism for funding must, however, be fully incorporated into the viability assumptions].</p> <p>Finally, the PBA assessment in Section 8 shows that strategic sites in Chichester have historically achieved an average £8,000 per unit for s106, with 40% affordable housing. The proposed £120/m² CIL charge, alongside the assumed £8,000 per unit residual s106 contribution on strategic sites, suggests an overall 'policy cost' (applied to the 90m² 3-bed unit in the PBA report at para. 8.41) of £18,800. Even with the reduced affordable housing rate of 30%, this is a substantial additional cost to be borne by strategic sites. Working on the understanding that the average £8,000 per unit s106 contribution have been negotiated taking account of what a particular scheme can afford to pay, the application of a substantial additional CIL charge – in additional to residual s106 costs – is likely to have an unacceptable impact on viability.</p> <p>Overall, CEG considers that the proposed residential CIL rate of £120m² in the south of the District and applied to strategic sites is unrealistically high, and that the evidence is not sufficiently robust to demonstrate that the Council has struck the appropriate balance between —</p> <p>“... (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and</p> <p>(b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.” (Regulation 14, Community Infrastructure Levy Regulations 2010, as amended).”</p>	<p>within the CIL charge</p> <p>The impact of CIL will be lessened by the introduction of a revised instalments policy aimed at the strategic sites.</p> <p>Overall, due to the reduction in previously achieved affordable housing obligations and an extended instalments period, the Council believe that the viability evidence supports a figure of £120m² on this strategic site.</p>	
55	Savills Mr Robert Steele	7. The Draft Charging Schedule Map 1.1 and				✓		✓	No differential rates have been proposed for emerging Strategic Sites, thus placing at risk the housing land supply and delivery of the emerging Local Plan.	The viability evidence does not justify a differential rate for the emerging Strategic Sites. Full regard has been taken of scheme mitigation	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written Responses	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	representing: Bloor Homes; Linden Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey	Table 7.1 Proposed CIL Charges							Limited regard has been had to "scheme mitigation" infrastructure (typically S106/S278) in the viability appraisals. Proposed CIL rates would not be economically viable. <u>Suggested modifications</u> Differential rates for the emerging strategic sites.	infrastructure (typically S106/S278) using information provided by both the Council and Savill's.	
59	Savills Mr Robert Steele representing: Bloor Homes; Linden Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey	7. The Draft Charging Schedule Table 7.1			✓			✓	In view of recent government changes to S106, schemes of 10 or less homes will be contributing less in terms of affordable housing, this means they may be able to pay more CIL. The viability study needs to determine whether this is the case.	The Council is not proposing a differential rate for units of 10 or less therefore no testing is required	No modification considered necessary
60	Savills Mr Robert Steele representing: Bloor Homes; Linden Homes; Miller Homes; Seaward	7. The Draft Charging Schedule Table 7.1			✓			✓	Object to residential charges on viability grounds, as proposed CIL rates would not be economically viable	Overall, due to the reduction in previously achieved affordable housing obligations and an extended instalments period, the Council believes that the viability evidence supports a figure of £120m ² for the residential charges in the south of the plan area.	No modification considered necessary

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written reps	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	Properties Ltd; and Taylor Wimpey										
NEXT STEPS (1 representation)											
13	English Heritage Mr. Martin Small	8. Next Steps				✓	✓		<p>Development-specific planning obligations may still continue to offer further opportunities for funding improvements to and the mitigation of adverse impacts on the historic environment, such as archaeological investigations, access and interpretation, and the repair and reuse of buildings or other heritage assets.</p> <p>English Heritage strongly advises that the District Council's conservation staff are involved throughout the preparation and implementation of the Draft Charging Schedule as they are often best placed to advise on local historic environment issues.</p>	Comments noted. The District Council's conservation staff will continue to be involved with the CIL	No modification considered necessary
ANNEXE A CIL DRAFT PAYMENTS BY INSTALMENTS POLICY (2 representations)											
36	Martin Grant Homes Mr. Matthew Spilsbury	Annexe A CIL Draft payments by Instalments Policy			✓				<p>Payment by Instalments Martin Grant Homes made representations to the CDC CIL PDCS, which requested a series of amendments to the proposed draft Instalment Policy. These are reproduced below:</p> <p>In the view of Martin Grant Homes, it is essential that the Council prepare and adopt a robust and effective instalment policy if CIL is not to affect the viability of major development projects, which are critical to the successful delivery of the relevant Plan. The Council will already be aware that for large developments it is often essential that Section 106 financial payments required to mitigate the effects of development are paid in stages rather than as a single payment prior to or upon commencement. This is driven by the implications on project cash flow as income from development is often not realised until residential/commercial units are sold or let and this maybe several years after commencement of works on site. It may not be financially viable to pay large sums at such an early stage in the development process. In addition, many larger developments which are dependent on bank funding would need to secure further bank finance to make such early payments resulting in further upfront costs and charges having to be paid. It is</p>	The payment by instalments policy will be revised.	The instalments policy will be revised. See revisions at the end of this schedule*.

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>often the case that the infrastructure for which the sums are to be paid is not required to be tendered and constructed until much later in the development process when the associated need arises. In recognition of this, Section 106 agreements for larger developments are negotiated so as to provide for contributions to be paid either on occupation of a certain number or percentage of dwellings, completion of sales or certain time periods after commencement or by reference to phases. It is the view of Martin Grant Homes that CIL liability should be treated in the same way if an instalments policy is to have a meaningful positive impact on cash flow and, concurrently, on viability and development delivery. Martin Grant Homes is therefore firmly of the opinion that the Draft Payments by Instalments Policy set out by the Council in Annexe A of the PDCS requires significant modification. Firstly, the following caveat should be removed from the draft Policy: "But The full balance is payable of first occupation / opening of the development if this is earlier than the due instalment dates set out above." Secondly, the thresholds should be amended as follows: Any amount less than £50,000 should be subject to a single payment required within 60 days of the commencement date. Amounts from £50,000 to £100,000 should be payable in four equal instalments payable within 60 days, 120 days, 180 days, and 260 days of the commencement date respectively. Amounts from £100,001 to £250,000 should be payable in four equal instalments payable within 60 days, 120 days, 180 days, and 260 days of the commencement date respectively. Amounts from £250,001 to £500,000 should be payable in four equal instalments payable within 120 days, 180 days, 260 days, and 320 days of the commencement date respectively. Amounts over £500,000 should be payable in four equal instalments payable within 180 days, 260 days, 320 days, and 380 days of the commencement date respectively. Instalments for this scale of development will also be open to negotiation on an individual basis.</p>		
57	Savills Mr Robert Steele representing: Bloor	Annexe A: CIL Draft Payments by Instalments Policy		✓					<p>Concerned about the statement "the full balance to be payable on first occupation/opening of the development, if this occurs earlier than the due instalment dates set out above" defeats the principle of the instalments policy. <u>Suggested modifications</u> Would like the statement replaced by " the full balance is to be payable on completion of the development, or final</p>	The payment by instalments policy will be revised.	The instalments policy will be revised. See revisions at the end of this schedule*.

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	Homes; Linden Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey								occupation, if either is earlier than the due instalment dates set out above".		
ANNEXE B DRAFT REGULATION 123 LIST (7 representations)											
8	Woodland Trust Mrs Ellie Henderson	Annexe B Draft Regulation 123 list	✓				✓		We are pleased to see woodland creation in the draft Regulation 123 list.	Support noted	No modification required
9	West Sussex County Council Mrs Lucy Seymour-Bowdery	Annexe B Draft Regulation 123 list	✓				✓		<p>The CIL will be used to help fund a range of infrastructure including projects that will support the provision of county council services. When a charging authority introduces CIL, section 106 requirements will be scaled back to those matters that are directly related to a specific site.</p> <p>Community Infrastructure Levy Draft Charging Schedule</p> <p>The County Council has been working with CDC to identify infrastructure requirements to support development identified in the Local Plan. A draft Strategic Infrastructure Package has been prepared to set out the improvements required to enable the provision of county council services to meet the needs of new strategic development. This package has informed the supporting evidence for the Draft Charging Schedule and Infrastructure Delivery Plan (IDP, version 2 October 2014).</p> <p>The Draft Charging Schedule highlights that with the anticipated CIL receipts in excess of £30m, there is still likely to be an estimated infrastructure funding gap of £18.5m. In order to manage this shortfall, the County Council is working with CDC to develop a methodology for the prioritisation of infrastructure. In considering the processes required to support the allocation of CIL funds,</p>	Support noted	No modification required

ID	Consultee	Consultation Point	Support	Support with mods	Object	Have Comments	Written reans	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>the County Council is keen to ensure that there is an appropriate level of local member involvement in the decision-making process. The County Council is supportive of the proposed CIL governance arrangements that CDC is developing and will continue to help shape this process. The preparation of a rolling five year Infrastructure Business Plan (IBP) is also supported.</p> <p>Annexe B: Draft Regulation 123 List</p> <p>The County Council has worked with CDC to develop the Draft Regulation 123 list and supports the changes made based on comments provided as part of the Preliminary Draft Charging Schedule consultation.</p>		
10	Sport England Ms Heidi Clarke	Annexe B Draft Regulation 123 list				✓	✓		<p>Sport England recently commented on the Council's Draft Planning Obligations and Affordable Housing Supplementary Planning Document. Sport England was supportive of the approach taken by Chichester Council, in particular the table which sets out how open space, sport and recreation facilities will be delivered whether it's through S.106 agreements or via CIL.</p> <p>Sport England has considered the following documents which will be referenced in the response: Draft Charging Schedule, Draft Regulation 123 List, the Infrastructure Delivery Plan (2014) and the Open Space Assessment and Built Facilities Study (2013-2029)</p> <p>The IDP (Oct 2014) identifies key issues for Sports, Leisure and Heritage Facilities and Green Infrastructure and advises of Plan Area Wide Green Infrastructure requirements in particular numerous cycling routes which are to be funded by developer contributions. It is unclear if a Green Infrastructure Strategy has been developed yet. Other than the cycle routes, the IDP does not identify the specific sports infrastructure needed in the plan period.</p> <p>The Council undertook an Open Space Assessment and Built Facilities Study in 2013 which identified a shortfall of all types of open space with the exception of natural and semi natural green space. The district has a deficit of 21.57 hectares of parks, sport and recreation grounds according to the study. The built facilities aspect of the</p>	<p>An area wide Green Infrastructure Strategy has not been developed, and it is unlikely that it will now be needed as most of the GI identified in the Appendix of the new Local Plan is being brought forward through the masterplans of the Strategic Development Locations, and through the Parish Council's Neighbourhood Plans.</p> <p>The IDP is a live document and detail will continue to be added to it.</p> <p>Neither the CIL, nor S106 can be used to make up for existing deficiencies in infrastructure. S106 can only be used to provide for the needs of the proposed new development, or in the</p>	No modification required

ID	Consultee	Consultation Point	Support	Support with regards	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>study is considerably brief and identifies a need for the provision of an athletics track (university), a full-size 3G pitch, a swimming pool (Manhood Peninsula) and a sports hall east of Chichester. These identified needs have not been carried across into either the IDP or the CIL Reg 123 List therefore it is not clear how they could be delivered.</p> <p>The CIL Reg 123 list set out what CIL will be spent on. With regards Sports provision it advises CIL will fund <i>Playing Fields, Sports Pitches and related built facilities, and children's play areas other than site-specific requirements</i>. It also advises that the provision of green infrastructure necessary to make a development acceptable will be collected via S106 contributions. Sport England supports the latter clarification, however whilst it is good that the Council are seeking CIL to fund <i>Playing Fields, Sports Pitches and related built facilities</i>, Sport England would recommend that the CIL Reg 123 list should state specifically what is needed. It would appear that the Reg 123 List does not specify any of the needs set out in the Open Space Assessment and Built Facilities Study.</p> <p>Sport England would recommend the Council first assess the needs for sports (outdoor and indoor) and then only seek CIL to fund 'big ticket', items which are high priority strategic facilities or improvements to existing strategic facilities. Such will increase the likelihood of delivery. Other 'small scale sport provision' (e.g new pitches) may better be funded by S106 contributions. At present the wording is considered very generic and as there is not a robust assessment of the need for outdoor sports pitches or indoor leisure facilities and centres, it is very unlikely any <i>Playing Fields, Sports Pitches and related built facilities will be delivered</i>.</p>	<p>case of CIL for the needs of the growth identified in the new Local Plan.</p> <p>The CIL spending priorities have not yet been identified, so the Regulation 123 list contains generic types of infrastructure. The spending priorities for projects to be funded will be worked up into a five year rolling Infrastructure Business Plan, which is currently being prepared, other needs are being brought forward into the masterplans for the Strategic Development Locations.</p> <p>What exactly will be needed may change over the life of the plan as development comes forward. The approach suggested by Sport England would be too inflexible.</p> <p>The CIL spending priorities have not yet been identified, so the Regulation 123 list contains generic types of infrastructure. The detail for projects to be funded will be worked up into a five year rolling Infrastructure Business plan, which is currently being prepared.</p> <p>Chichester is a rural area, containing many parishes that are preparing Neighbourhood Plans. These parishes will be passed 15 – 25% of the CIL collected within their parish, and are able to spend this on infrastructure of their choice. At this stage the use of CIL to fund solely big ticket items, may not be in accordance with the wishes of the local community. Hence the</p>	

ID	Consultee	Consultation Point	Support	Support with regards	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
										council is putting inclusive governance arrangements in place for the prioritisation and funding of CIL projects.	
16	RSPB Mrs. Alison Giacomelli	Annexe B Draft Regulation 123 List				✓	✓		<p>The RSPB would like to make the comment that Alternative Natural Greenspace is not being included in the list of Habitats Regulations mitigation measures funded through the Solent Recreation Mitigation Partnership (SRMP), which provides for mitigation measures relating to Chichester Harbour Special Protection Area. This is because it was felt that as it is not possible to recreate the coast elsewhere, alternative sites would be less effective at drawing people away from the Harbours, though to test this, a country park-style alternative site is being trialed in one authority area. However, the SRMP includes other measures in the interim strategy (https://www.portsmouth.gov.uk/ext/community-and-environment/environment/solent-recreation-mitigation-strategy.aspx), for example, a Coastal Dog Project, which go beyond a 'Financial contribution towards management of Natura 2000 sites.' Therefore, the RSPB's view is that the list of exclusions in the Reg 123 list is not sufficiently clear about what the likely Habitats Regulations mitigation measures will be.</p> <p>The RSPB would also like to point out that the suite of sites covered by the Habitats Regulations are called Natura 2000 sites (not Europa).</p>	<p>The intention is for all Habitat Regulations Assessment Mitigation to be provided through planning obligations.</p> <p>The existing wording: "Provision of Alternative Natural Greenspace..." could be changed to "Provision of infrastructure necessary to make the development acceptable in planning terms".</p> <p>Agree: this should be corrected</p>	<p>Change the existing wording: "Provision of Alternative Natural Greenspace..." to "Provision of infrastructure or other mitigation measures necessary to make the development acceptable in planning terms as a minor modification"</p> <p>Change word Europa 2000 sites to Natura 2000 sites as a minor modification</p>
17	Highways Agency Ms. Elizabeth Cleaver	Annexe B Draft Regulation 123 List				✓	✓		<p>Thank you for consulting the Highways Agency on the Draft Charging Schedule for the Chichester District Council Community Infrastructure Levy (CIL). As you are aware, the Highways Agency is an executive agency of the Department for Transport responsible for operating, maintaining and improving England's strategic road network on behalf of the Secretary of State for Transport. In the case of Chichester District our interest relates to the A27 Trunk Road.</p> <p>We have worked with Chichester District Council, West Sussex County Council and developers to agree a package of mitigation measures for the A27 Chichester</p>	<p>The Council will continue to work with the Highways Agency to secure the funding necessary to make the improvements to the A27, the need for which is generated by the development the subject of planning applications.</p>	<p>No modification required.</p>

ID	Consultee	Consultation Point	Support	Support with regards	Object	Have Comments	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
									<p>Bypass to deliver the development in the Submitted Local Plan. Although we had anticipated that CIL funding would be provided for these improvements to the A27, your Council has decided to use Section 106 agreements. We are generally content with this approach, however we do need a clearer understanding of how this will work including trigger points for improvements, how much and when money will be provided from each of the major development sites, and the process for forward funding if there is not sufficient money when the improvements need to be in place.</p> <p>I hope these comments are helpful. We look forward to continuing to work with your Council and West Sussex County Council.</p>		
27	Thames Water Utilities Ltd Ms. Carmelle Bell.	Annexe B Draft Regulation 123 List				✓	✓		<p>Thames Water provides essential water and wastewater infrastructure in order to support growth and deliver environmental improvements. That infrastructure provision can incorporate the provision of buildings such as a new sewage pumping station or a new sewage treatment building for example. The nature of such infrastructure buildings means that there is no impact on other forms of infrastructure requirements such as schools, open space and libraries. Thames Water therefore consider that water and wastewater infrastructure buildings should be exempt from payment of the Community Infrastructure Levy and this appears to be the case in the draft schedule where "All development not separately defined" have a Nil charge which is supported by Thames Water.</p> <p>The Council may however wish to consider using CIL contributions for enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers, for example by providing greater levels of protection for surface water flooding schemes. Sewerage undertakers are currently only funded to a circa 1:30 flood event.</p>	Flood Risk Management Infrastructure is already included on the Council's Regulation 123 list.	No modification required.
56	Savills Mr Robert Steele representing: Bloor Homes; Linden	Annexe B Draft Regulation 123 List			✓			✓	<p>The Regulation 123 list needs to be redrafted to offer a clearer distinction between what is to be funded by CIL and S106/S278.</p>	The Council considers that the Regulation 123 list provides sufficient clarity as what will be funded by CIL and what by S106/S278.	No modification required.

ID	Consultee	Consultation Point	Support	Support with regards	Object	Comments	Have	Written	Hearing	Consultee Representations	Council's response	Suggested modification to DCS
	Homes; Miller Homes; Seaward Properties Ltd; and Taylor Wimpey											

*ID 36 & 57 - Suggested modification to Payment by Instalments Policy:

A.1 This policy has been prepared in accordance with Regulation 69B of the Community Infrastructure Levy (Amendment) Regulations 2011.

A.2 The Council will allow payment of CIL by instalments according to the total amount of the liability as follows:

Residential Development		
Development size	Number of instalments	Payment periods and amounts Notes: (i) Where a percentage does not result in a whole house, the percentage of dwellings will be rounded up. (ii) The developer should inform the Council's CIL monitoring officer when each trigger has been reached.
Less than 5 units	No instalments	100% of levy 90 days from commencement
5-25 units	1 st	25% of the levy 90 days from commencement
	2 nd	25% of the levy on completion of 50% of the dwellings
	3 rd & final	50% of the levy on completion of 75% of the dwellings.
26-100 units	1 st	25% of the levy 90 days from commencement
	2 nd	25% of the levy on completion of 25% of the dwellings
	3 rd	25% of the levy on completion of 50% of the dwellings
	4 th & final	25% of the levy on completion of 75% of the dwellings
101-199 units	1 st	20% of the levy 90 days from commencement

	2 nd	20% of the levy on completion of 20% of the dwellings
	3 rd	20% of the levy on completion of 40% of the dwellings
	4 th	20% of the levy on completion of 60% of the dwellings
	5 th & final	20% of the levy on completion of 80% of the dwellings
200- units and above	1 st	10% of the levy 90 days from commencement
	2 nd	10% of the levy on completion of 10% of the dwellings
	3 rd	10% of the levy on completion of 20% of the dwellings
	4 th	10% of the levy on completion of 30% of the dwellings
	5 th	10% of the levy on completion of 40% of the dwellings
	6 th	10% of the levy on completion of 50% of the dwellings
	7 th	10% of the levy on completion of 60% of the dwellings
	8 th	10% of the levy on completion of 70% of the dwellings
	9 th	10% of the levy on completion of 80% of the dwellings
	10 th & final	10% of the levy on completion of 90% of the dwellings
Retail Development		
Retail development by its nature does not lend itself to the same approach used for residential development. Therefore it is proposed that phasing will be based on timescales and still related to the size of the development.		
Levy amount	Number of instalments	Payment periods and amounts
Less than £50,000	No instalments	100% of levy 60 days from commencement
£50,000 - £250,000	1 st	50% of the levy 60 days from commencement
	2 nd & final	50% of the levy 90 days from the commencement date or prior to completion/opening of any part of the development, whichever is the sooner.
More than £250,000	1 st	25% of the levy 60 days from commencement
	2 nd	25% of the levy 120 days from commencement
	3 rd & final	50% of the levy 360 days from the commencement date or prior to completion/opening of any part of the development, whichever is the sooner.

A.3 This policy will take effect from (date to be inserted once known).

A.4 Commencement is defined in Regulation 7 of the Community Infrastructure Levy Regulations 2010 (as amended).

A.5 Where “days” are referred to this means every day of the week including Saturdays, Sundays and Bank Holidays; the term “completion” means substantial completion including fitting out internally.

A.6 Where a planning permission which permits development to be implemented in phases has been granted, each phase of development as agreed is a separate chargeable development in its own right.

A.7 In accordance with Regulation 70 of the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy (Amendment) Regulations 2011) the Chichester District CIL Instalment Policy will only apply in the following circumstances:

1. Where the Council has received a valid CIL Assumption of Liability form prior to commencement of the chargeable development (Regulation 70(1)(a)); and
2. Where the Council has received a valid CIL Commencement Notice prior to commencement of the chargeable development (Regulation 70(1)(b))

A.8 If either of the above requirements are not complied with, the total CIL liability will become payable within 60 days of the commencement of the chargeable development. In addition, surcharges may apply due to the CIL Assumption of Liability Form and/or the CIL Commencement Notice not being submitted to the Council prior to the commencement of the chargeable development. Once the development has commenced, all CIL payments must be made in accordance with the CIL Instalment Policy. Where a payment is not received in full on or before the day on which it is due, the total CIL liability becomes payable in full immediately (Regulation 70(8)(a)).

A.9 In summary, to benefit from the CIL Instalment Policy, the relevant forms must be submitted to the Council prior to the commencement of the chargeable development, and all payments must be paid in accordance with the CIL Instalment Policy.

Community Infrastructure Levy – Draft Charging Schedule General Consultation Information

Introduction

The following information provides an overview of the consultation undertaken by the Council on the Preparation of the CIL Draft Charging Schedule. After the Submission of the Draft Charging Schedule, the Council will provide a detailed Examination Statement setting out how the Council has complied with the appropriate Legislation and Regulations which includes all of the relevant consultation arrangements.

Consultation Periods

The Preliminary Draft Charging Schedule was published for a six week consultation period from 17 March to 23 April 2014. The Draft Charging Schedule was published for a six week period from 21 November 2014 to 5 January 2015.

Consultation

In accordance with Regulations 15 and 16 of the CIL Regulations 2010, the Council sent the Preliminary Draft Charging Schedule and Draft Charging Schedule to each of the 'consultation bodies' defined by the Regulations and invited representations from each of the consultation bodies, and from persons who are residents or carrying on business in the new Local Plan area, including voluntary bodies and bodies that represent the interests of persons carrying on business in the new Local Plan area. The list of those contacted is as follows:

Contacted by email

Specific Consultation Bodies

- Adur & Worthing Councils
- Arun District Council
- Brighton & Hove City Council
- British Telecommunications
- Chichester Harbour Conservancy
- Civil Aviation Authority
- Coastal West Sussex
- Defence Estates (MOD)
- East Hampshire District Council
- English Heritage
- Environment Agency
- Hampshire County Council
- Havant Borough Council
- Highways Agency
- Home & Communities Agency (HCA)
- Horsham District Council
- Marine Management Organisation
- National Trust
- Natural England
- Network Rail

- NHS Property Services Ltd
- NHS Sussex - Strategic Estates
- Office of Rail Regulation
- Portsmouth Water Ltd
- Scotia Gas Networks
- South Downs National Park Authority
- South East Coast NHS Foundation Ambulance Trust
- South East Water
- Southern Electric Power Distribution plc
- Southern Water
- Sport England South East
- Stagecoach South Head Office
- Surrey County Council
- Sussex Police
- Sussex Wildlife Trust
- Thames Water Utilities Ltd
- Waverley Borough Council
- West Sussex County Council
- West Sussex Fire And Rescue
- West Sussex Primary Care Trust
- Aldingbourne Parish Council
- Alfold Parish Council
- Apuldram Parish Council
- Bersted Parish Council
- Billingshurst Parish Council
- Birdham Parish Council
- Bosham Parish Council
- Boxgrove Parish Council
- Chichester City Council
- Chiddingfold Parish Council
- Chidham & Hambrook Parish Council
- Coldwaltham Parish Council
- Donnington Parish Council
- Dunsfold Parish Council
- Earnley Parish Council
- Eartham Parish Meeting
- East Wittering And Bracklesham Parish Council
- Ebernoe Parish Council
- Fishbourne Parish Council
- Funtington Parish Council
- Haslemere Town Council
- Hunston Parish Council
- Kirdford Parish Council
- Lavant Parish Council
- Loxwood Parish Council
- Lynchmere Parish Council
- North Mundham Parish Council
- Northchapel Parish Council
- Oving Parish Council
- Paghams Parish Council
- Petworth Town Council
- Plaistow And Ifold Parish Council
- Pulborough Parish Council

- Rudgwick Parish Council
- Selsey Town Council
- Sidlesham Parish Council
- Southbourne Parish Council
- Stoughton Parish Council
- Tangmere Parish Council
- West Itchenor Parish Council
- West Wittering Parish Council
- Westbourne Parish Council
- Westhampnett Parish Council
- Wisborough Green Parish Council
- Amberley Parish Council
- Barlavington Parish Council
- Bepton Parish Council
- Bignor Parish Meeting
- Bramshott And Liphook Parish Council
- Buriton Parish Council
- Bury Parish Council
- Cocking Parish Council
- Compton Parish Council
- Duncton Parish Council
- Easebourne Parish Council
- East Dean Parish Council
- East Lavington Parish Council
- Elsted And Treyford Parish Council
- Fernhurst Parish Council
- Fittleworth Parish Council
- Graffham Parish Council
- Harting Parish Council
- Heyshott Parish Council
- Linch Parish Meeting
- Liss Parish Council
- Lodsworth Parish Council
- Lurgashall Parish Council
- Midhurst Town Council
- Milland Parish Council
- Petersfield Town Council
- Rogate Parish Council
- Rowlands Castle Parish Council
- Stedham With Iping Parish Council
- Steep Parish Council
- Stopham Parish Meeting
- Sutton Parish Council
- Tillington Parish Council
- Trotton With Chithurst Parish Council
- West Dean Parish Council
- West Lavington Parish Council
- Whitehill Town Council
- Woolbeding With Redford Parish Council

Developers/Agents

- A. Else (Building Consultants) Ltd

- Adams Hendry Consulting Ltd
- Adams Integra Ltd
- Alliance Environment & Planning
- Alliance Planning
- Amberley House
- AMEC E & I Ltd
- AMEC Ltd
- Amelia Properties Ltd
- Architects Design + Management
- Barratt and David Wilson Homes
- Barratt Homes
- Barratt Southern Counties
- Barton Willmore
- Barton Willmore LLP
- Batcheller Monkhouse
- Bedford & Upton
- Bell Cornwell Partnership
- Berkeley Strategic Group
- BNP Paribas
- Boyer Planning
- Brookhouse Group
- Bryan Jezeph Consultancy
- CALA Homes (South) Ltd
- Carter Jonas
- Carter Jonas LLP
- CB Richard Ellis
- CB Richard Ellis Ltd
- Chestnut Planning Ltd
- Christopher Strang Associates
- Cirrus Properties Limited
- CLA (Country Land & Business Association)
- Cliff Walsingham And Company
- Clifford Dann LLP
- Cluttons LLP
- CMYK
- Colliers CRE
- Cowdray Estate
- Crest Strategic Projects Ltd
- Croudace Strategic
- D and M Planning
- D2 Planning Limited
- DCPlanning Ltd
- DG Phillips (Bosham) Ltd
- Dixon Searle LLP
- DMH Stallard LLP
- Douglas Briggs Partnership
- Dowsett Mayhew Planning Partnership Ltd
- DPDS Consulting Group
- Drivers Jonas Deloitte
- DTZ
- ECE Planning
- Edward James Foundation
- Elizabeth Lawrence Ltd

- Evison and Company
- First City
- G L Hearn
- G R Planning Consultancy Ltd
- Galloways Chartered Building Consultants
- Genesis Town Planning
- Gladman Developments
- Gleeson Homes
- GleesonStrategic Land
- Goodwood Estate Company Limited
- Gregory Gray Associates
- GVA
- Hallam Land Management Limited
- Hastoe Housing Association Ltd
- Henry Adams
- Henry Adams And Partners
- Henry Adams Planning Ltd
- Hoe Estate Company Ltd
- HPW Partnership Ltd
- Hyland Edgar Driver
- Ian Judd & Partners
- ICENI Projects
- Independent Planning Services
- JB Surveys
- John Cooper Associates
- Jones Lang LaSalle
- JPC Strategic Planning & Leisure
- Kingsbridge Estates Ltd
- Kirkwells
- KYO
- Landlink Estates Ltd
- Les Weymes Planning Consultancy Ltd
- Lucas Land & Planning
- Luken Beck
- Luken Beck Ltd
- Luken Beck MDP Ltd
- Maddox and Associates
- Malcolm Scott Consultants
- McAndrew Martin
- McLaren Clark Group
- Meadows Partnership
- Miller Hughes
- Mono Consultants Ltd
- Neame Sutton Limited
- Network Rail
- Nexus Planning Ltd
- Osborne
- Parker Dann
- Parker Dann Ltd
- Pickup Town Planning
- Planning And Property Consultants Ltd
- Planware Ltd
- Pocket Living

- Premier Marinas (Chichester) Ltd
- Provincial And Western Homes
- PRP Architects Ltd
- PWJ Architects
- Quinton Edwards, Chartered Surveyors
- Rapleys LLP
- Rawleigh Property Management Ltd
- RH And RW Clutton
- Rollinson Planning Consultancy Ltd
- Romans Professional Services
- RPS Group Plc
- RPS Planning & Development
- RUPC Ltd
- Rydon Homes Limited
- Savills
- Savills (Commercial) Limited
- Savills (L+P) Limited
- Savills Plc
- Savills UK
- Seaman Partnership Ltd
- Seaward Properties Ltd
- Sigma Planning Services
- Smiths Gore
- South Eastern Planning Services Ltd
- Southern Planning Practice
- Speer Dade
- Store Property Holding Ltd
- Stratland Management
- Strutt and Parker
- Strutt and Parker LLP
- Studio 5 Architects
- T.M.L. Estates Ltd
- Tarmac Ltd
- Taylor Wimpey Southern Counties
- Taylor Wimpey Strategic Land
- Taylor Wimpey UK Ltd
- Terence O'Rourke Ltd
- The Barlavington Estate
- Thomas Eggar LLP
- Town And Country Planning Solutions
- Turley
- University Of Chichester
- W. Stirland Ltd
- Wates Developments
- West Sussex Growers' Association
- West Waddy ADP
- West Wittering Estate PLC
- Western Sussex Hospitals Trust
- White Young Green
- Woolf Bond Planning
- Woolf Bond Planning LLP

Businesses

- Company / Organisation
- Action For Deafness
- Action In Rural Sussex
- Age Concern Chichester And District
- Blake Laphorn Solicitors
- Bob Mousley Architects
- Bourne Community College
- BREEAM
- Chichester College
- Chichester Haulage
- Citizens Advice Bureau
- CLA (Country Land & Business Association)
- David Thurlow Associates Ltd (PEP)
- DHA Transport
- Elite Helicopters
- FTMINS Chartered Minerals Surveyors
- Fusion Online Ltd
- Goodwood
- Goodwood Motor Circuit
- Hall Hunter Partnership
- Madestein UK Ltd
- Mithril Racing
- MTVideoservices
- Mulberry Divers Ltd
- National Air Traffic Services
- P C Petter & Son
- PH Design
- R & K Birkett
- Riverwell Overseas Investments Inc
- Rolls-Royce Motor Cars Limited
- Scott Dunn
- Sicon Farm Contractors Ltd
- South East Coast Ambulance Service
- Stiles Harold Williams
- Sussex Association Of Local Councils
- Tangmere Airfield Nurseries Limited
- University Of Chichester
- Walton & Co
- West Sussex Local Access Forum (WSLAF)

Community Organisations & Residents Associations

- 4Sight
- Alliance for Green Socialism
- Almodington and Earnley Residents' Action Group
- Birdham & Earnley Flood Prevention Group
- Birdham Neighbourhood Planning Steering Group
- Birdham Village Res Assoc
- Bosham Association
- Bosham Parish Neighbourhood Plan Project Team
- Brandy Hole Copse LNR Management Board

- British Horse Society
- Campaign Against Over Development In Selsey CAODIS
- Campaign for Real Ale
- CCCI
- Chalk Lane And Cow Lane Management Ltd
- Chichester & District Society of Model Engineers
- Chichester Access Group
- Chichester and Bognor Green Party
- Chichester City Centre Partnership
- Chichester Conservation Area Advisory Committee
- Chichester District CPRE
- Chichester Residents' Associations Group (CRAG)
- ChiCycle & 20's Plenty for Chichester
- ChiCycle Forum
- Christian Care Association
- Churches Together in Sussex
- Council for British Archaeology
- CPRE Sussex
- CPRE Sussex - Chichester District Committee
- East Broyle Residents' Association
- Emsworth Residents Association
- Federation Of Small Businesses
- Fittleworth and District Association
- Friends of Brandy Hole Copse
- Friends of Chichester Harbour
- Friends of Pagham Harbour
- Friends, Families & Travellers
- Graylingwell Park Residents Association
- HDRA
- High Trees (Fittleworth) Management Co Ltd
- Independant Living Association (formally WSAD)
- Kirdford CLP
- Kirdford Parish Neighbourhood Plan Steering Group
- Loxwood Society
- Manhood Peninsula Partnership
- Manhood Wildlife and Heritage Group
- MARRA
- National Farmers Union
- National Federation of Gypsy Liaison Groups
- North Hall Managemnet Committee
- Open Space Society
- Orchard Street and Old Somerstown Area Residents' Association
- Parklands Residents Association
- Parklands Surgery
- Patient Participation Group
- Petworth Society
- Plaistow Village Trust
- Ramblers Sussex Area
- Richmond Park Residents Association
- Royal British Legion
- RSPB
- Solent Protection Society
- South Coast Design Forum

- South Downs Society
- Southern Gateway Residents' Association
- Summersdale Residents Association
- Sussex Enterprise
- Sussex Gardens Trust
- Sussex Partnership NHS Trust
- Sussex Wildlife Trust
- Sustrans
- The Almodington Association
- The Chichester Society
- The Fernhurst Centre
- The Itchenor Society
- The Lynchmere Society
- The Theatres Trust
- The Woodhorn Group
- Transition Chichester
- Traveller Law Reform Project
- Voluntary and Community Action Chichester District
- Walk England
- West Sussex Youth Service
- West Wittering Residents Association
- Wey and Arun Canal Trust
- Woodland Trust

Contacted by post

- ANA Architecture
- Beemond Properties
- British Telecommunications
- Hambrook District Residents Association
- Houghton Parish Meeting
- Lavant Horticultural Society
- Madehurst Parish Meeting
- Marden Parish Meeting
- Planning Inspectorate
- Royal British Legion
- The March CE Primary School
- Upwaltham Parish Meeting
- Woodmancote Residents Association

The following methods of consultation were used:

- Public notice in the Chichester Observer 20/11/2014 (Appendix 4);
- Letter/e-mail notification to the consultees; and
- Information about the consultation, including documents and how to respond, on the Council's public website.

The locations of where the DCS was made available for inspection:

- Chichester District Council's Main Office,
- Chichester District Council's Area Offices
- Local Libraries during opening areas.

Hard copies were made available to purchase upon request.

In addition to the consultation above, a meeting was held with Nathaniel Lichfield Partners on behalf of Commercial Estates Group & DC Heaver & Eurequity in an attempt to address the concerns they raised to the Draft Charging Schedule.



Community Infrastructure Levy

Draft Charging Schedule

Regulation 16

Statement of Representations Procedure

Chichester District Council intends to submit a Community infrastructure Levy (CIL) Draft Charging Schedule for public examination, under Section 212 of the Planning Act 2008 (as amended by Section 114 of the Localism Act 2011).

In accordance with the Community Infrastructure Levy Regulations (2010), Chichester District Council has published the following documents for consultation:

- The Chichester CIL Draft Charging Schedule including Draft Regulation 123 list and Payment by Instalments Policy
- Evidence to support the Chichester CIL Draft Charging Schedule
- This Statement of Representations Procedure

Representations on the Draft Charging Schedule must be made **in writing** within the specified period from **9.00am Friday 21 November 2014 to be received no later than 5.00pm Monday 5 January 2015**.

Anonymous comments or comments received outside these dates and times will not be accepted.

Comments can be made on the Draft Charging Schedule on our consultation portal:

<http://chichester-consult.limehouse.co.uk/portal/> (Preferred).

Alternatively, the document and official response forms can be downloaded from the Council's website, <http://www.chichester.gov.uk/article/24660/Community-Infrastructure-Levy-CIL> and returned by email to: planningpolicy@chichester.gov.uk. Making your representation online will help us to save paper and time.

If you don't have internet access, response forms can be collected at any of the Council offices and returned to: Planning Policy, Chichester District Council, East Pallant House, 1 East Pallant, Chichester PO19 1TY.

Following the consultation period, the Draft Charging Schedule, together with the representations received, will be submitted to the Examiner prior to an Examination being held.

Please note that copies of all comments will be made available for the public to view (including your name, but will not include any personal addresses or signatures), and therefore cannot be treated as confidential.

Organisations and individuals making representations may request the right to be heard at the examination. Such a request must be made in writing and received within the specified period for making representations.

If you would like to be notified of the submission of the CIL Draft Charging Schedule, receipt of the examiner's report or the approval of the Charging Schedule please indicate this on your response.

Location of documents for Inspection

Further information relating to the CIL and copies of the evidence base are available to view on the Council's website:

<http://www.chichester.gov.uk/article/24660/Community-Infrastructure-Levy-CIL>

Hard copies are available to purchase upon request from the Planning policy team at Chichester District Council by telephoning 01243 534571 or emailing planningpolicy@chichester.gov.uk

In addition, hard copies of the documentation are available to view in the District Council's Main Office, Area Offices and at local libraries during opening hours.

Chichester District Council

East Pallant House

1 East Pallant

Chichester

PO19 1TY

(08:45–17:10 Mon – Thurs/ 08:45–17:00 Fri) (excluding 25 Dec 2014 to 1 Jan 2015)

Midhurst Area Office

The Grange

Bpton Road

Midhurst

GU29 9HD

(09:00-17.00 Mon-Fri) (excluding 25 Dec 2014 to 1 Jan 2015)

Selsey Area Office

55 High Street

Selsey

PO20 0RB

(09:00-16:00 Mon-Fri) (excluding 25 Dec 2014 to 1 Jan 2015)

Reference copies of the Draft Charging Schedule have been placed in all District libraries, and Billingshurst library in Horsham District. Opening times for the libraries can be found at: http://www.westsussex.gov.uk/leisure/libraries/find_a_library.aspx