

Kirklees Council

Community Infrastructure Levy (CIL)

**Statement of Consultation and Summary
of Representations**

**Regulation 15, 16, 17 and 19 of the Community
Infrastructure Levy Regulations 2010 (as amended)**

July 2019

Planning Policy Group
Investment and Regeneration Service
Kirklees Council
PO Box B93
Civic Centre III
Huddersfield
HD1 2JR

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1.0 Introduction

- 1.1 This Statement of Consultation sets out how Kirklees Council has carried out the necessary consultation to inform the preparation of the Community Infrastructure Levy (CIL) Draft Charging Schedule Statement of Modifications. The statement addresses the requirements of Regulations 15, 16, 17 and 19 of the Community Infrastructure Levy 2010 (as amended). The council is satisfied that the requirements of these Regulations have been met with regard to consultation on the Preliminary Draft Charging Schedule, Draft Charging Schedule and Draft Charging Schedule Statement of Modifications.
- 1.2 The Preliminary Draft Charging Schedule was consulted upon at the same time as the Kirklees Draft Local Plan from 9th November 2015 to 1st February 2016. The Draft Charging Schedule was consulted upon at the same time as the Kirklees Publication Draft Local Plan from 7th November 2016 to 19th December 2016. The Draft charging Schedule Statement of Modifications was consulted upon from 20th May 2019 to 17th June 2019.
- 1.3 The Council has an approved Statement of Community Involvement (SCI) and this has been followed throughout all periods of consultation.

2.0 Consultation on the Preliminary Draft Charging Schedule

- 2.1 Consultation on the Kirklees CIL Preliminary Draft Charging Schedule was held from 9th November 2015 to 1st February 2016. During this period 29 individuals or organisations commented, raising 82 separate issues.
- 2.2 The comments received, and the councils responses, can be found in the CIL 009 - Kirklees Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule Consultation Report (Kirklees Council, November 2016). The comments received during the Preliminary Draft Charging Schedule consultation were considered in the review of the viability evidence and the production of the Draft Charging Schedule.
- 2.3 Details of how the Preliminary Draft Charging Schedule consultation was conducted can be found in Appendix A, CIL 010 – Kirklees Statement of Consultation and Summary of Representations (April 2017).

3.0 Consultation on the Draft Charging Schedule

- 3.1 Consultation on the Kirklees CIL Draft Charging Schedule was held from 7th November 2016 to 19th December 2016. During this period 23 individuals or organisations commented, 11 of whom requested to be heard at Examination.
- 3.2 The comments received, and the council's responses, can be found in Appendix E, CIL 010 – Kirklees Statement of Consultation and Summary of Representations (April 2017). The comments received during the Draft Charging Schedule consultation were

considered in the review of viability evidence and the production of the Draft Charging Schedule Statement of Modifications.

4.0 Publication of the Draft Charging Schedule Statement of Modifications

4.1 Consultation on the Kirklees CIL Draft Charging Schedule Statement of Modifications was held from Monday 20th May 2019 to 17th June 2019. During this period 14 individuals or organisations commented, 2 of whom requested to be heard at Examination.

4.2 In compliance with Regulation 16 of the Community Infrastructure Regulations 2010 (as amended), the following actions were undertaken:

- A copy of the Draft Charging Schedule Statement of Modifications, supporting information and the Statement of Representation Procedure (Appendix C) were made available to view at the council's Huddersfield and Dewsbury Customer Service Centres.
- The Draft Charging Schedule Statement of Modification, supporting information and the Statement of Representation Procedure were published on the council's online consultation portal. Details of the consultation and details of where hard copies of information could be found were published on the council's website in the Statement of Representation Procedure.
- Consultation bodies (Appendix B) were contacted directly by letter or email with details about the consultation, the Draft Charging Schedule Statement of Modifications, the supporting information and the Statement of Representation Procedure. All individuals on the Local Plan mailing list (12,000 contacts) were also contacted as part of the CIL consultation, including those who has previously commented on the CIL at the Draft Charging Schedule Consultation.
- A local press advertisement was placed in the Huddersfield Examiner and The Press newspaper on the 17th May 2019, setting out the details of the consultation and statement of representation (Appendix D).

5.0 Representation Statement & Summary of the Main Issues Raised by the Representations

Number of Representation Made

5.1 A total of 14 representations were considered to be duly made, in accordance with CIL Regulation 17. These are summarised in Table 1, below. Table 2, following, provides a full list of representors.

Table 1: Summary Table of Comments Duly Made, Categorised into Consultation Groups

Comments received from:	Number of comments received:	Details:
Residents / Individuals	7	
Developers / Consultants	3	Robert Halstead Chartered Surveyors & Town Planners, Spawforth Associates, Harworth Group PLC
Statutory Consultees / Other Organisations	2	Historic England, Environment Agency
Local Planning Authorities / Councils	1	Wakefield MDC
Town / Parish Councils	0	
Councillors	1	

Table 2: List of Those who Submitted a Representation

Comment Reference	Name	Organisation
CIL_SOM3	Sykes	Resident
CIL_SOM4	Lukic	Councillor
CIL_SOM5	Smith	Historic England
CIL_SOM6	Hunter	Resident
CIL_SOM 7	Stringer	Wakefield MDC
CIL_SOM8	Forrest	Resident
CIL_SOM9	Crawshaw	Environment Agency
CIL_SOM10	Atkin	Resident
CIL_SOM11	France	Resident
CIL_SOM 12	Rush	Resident
CIL_SOM13	Neville	Haworth Group PLC
CIL_SOM14	Willock	Robert Halstead Chartered Surveyors & Town Planners
CIL_SOM15	Rose	Spawforths Associates
CIL_SOM16	Sykes	Resident

Summary of Main Issues Consulted On:

5.2 Those informed of the Draft Charging Schedule Statement of Modification were asked to comment on changes to the Draft Charging Schedule and its supporting evidence, which include the following reports:

- Kirklees Community Infrastructure Levy Viability Update (Cushman & Wakefield, May 2019)
- Kirklees Community Infrastructure Levy Draft Charging Schedule (Kirklees Council, May 2019)
- Kirklees Community Infrastructure Levy Draft Charging Schedule Background Report (Kirklees Council, May 2019)
- Kirklees Community Infrastructure Levy Draft Regulation 123 List

5.3 The Draft Charging Schedule Statement of Modifications consultation comment form included questions covering the following questions / issues:

Q1: Do you consider that the new proposed levy rates in the Statement of Modifications have been informed by appropriate available evidence?

Q2: Do you consider that the new proposed levy rates in the Statement of Modifications would strike an appropriate balance between securing additional investment to support the development identified in the Local Plan, and the potential effects on the viability of development in Kirklees?

Q3: Do you consider that the differential rates proposed across the new residential charging zones in the Statement of Modifications would help ensure that the viability of development in the district is not put at risk?

Q4: Please provide any other comments that you wish to make on the Statement of Modifications including the modification reference number.

5.4 The issues raised during the Draft Charging Schedule Statement of Modifications consultation, and the council's responses, can be found in Appendix E.

Summary of Main Issues Raised by Representors

5.5 Table 3, below, summarises the main issues raised in response to the consultation questions.

Table 3: Summary of Main issues Raised by Representors

Infrastructure

- IDP is an aspirational document
- IDP misses strategic opportunity for a new road to the south of Dewsbury
- IDP should be reviewed
- There is lack of clarity about the infrastructure funding gap
- Infrastructure in and around Netherton is too small to sustain major development

Viability

- District wide viability evidence is too generic.
- Three charging zones will not capture important differences in land values and house prices.
- Zone 4 is not informed by the evidence.
- Evidence shows zone 4 is unviable.
- Challenge to a number of viability assumptions in relation to Dewsbury Riverside
- No consideration given to abnormals on brownfield sites

CIL Rates

- Rates are comparable with those adopted in Wakefield
- The merger of zones 2 & 3 means that areas that were previously subject to a charge of £5 sqm are now subject to a charge of £20 sqm, this could undermine the viability and deliverability of a number of sites within the Kirklees area.
- Zone 4 is not informed by the evidence.
- A new £0 psm zone should be introduced
- A higher levy rate should be considered for Chidswell

CIL Review

- There is no clear defined review mechanism in place.
- Regular monitoring should take place.

Regulation 123 (R123) List

- Term 'strategic' needs to be confirmed in the R123 list.

Draft Instalment Policy

- Should reflect viability and delivery of larger sites

Discretionary and Exceptional Circumstances Relief

- Objection to the fact that details of a discretionary and exceptional circumstances relief policy has not been published alongside the Draft Charging Schedule.

6.0 Changes to the Draft Charging Schedule 2019 as a Result of the Consultation on Statement of Modifications

6.1 Comments received at the Draft Charging Schedule Statement of Modification consultation stage were considered against national legislation, CIL Regulations (as amended) and National Planning Practice Guidance. Following review of the comments received, the council is proposing no further modifications to the CIL Draft Charging Schedule 2019. The council considers that the proposed rates in the Draft Charging Schedule 2019 strike an appropriate balance between the desirability of funding infrastructure required to support the development of the district and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across the district.

Appendix A

Kirklees Draft Charging Schedule Statement of Modifications Consultation Process

When the consultation was held:

Consultation on the Draft Charging Schedule Statement of Modifications took place between 20th May 2019 and 17th June 2019.

How we notified and invited people to make comments:

The following methods were used to publicise the consultation:

- All contacts on the Local Plan database were notified by letter or email (12,000);
- Consultation documents were available to view at deposit locations and on the council's website in accordance with the statement of community involvement with details on how to comment;
- Press release;
- On-line planning consultation system;
- Social media campaign, including Facebook and Twitter
- Member packs to enable them to run their own community meetings;
- An article in Kirklees Together (a council publication which covers the district);

Specific general and other consultees contacted during the Draft Charging Schedule Statement of Modifications consultation are outlined in Appendix B:

Appendix B

List of Specific and General Bodies and Persons Invited by the Council to Make Representations

Specific Consultees

Bordering planning authorities	
Barnsley MC Planning and Transportation Service Bradford MC Department of Transportation, Design and Planning Calderdale Council City of York Council High Peak Borough Council	Leeds City Council (Planning and Development Services) Peak District National Park Authority City of Wakefield Metropolitan District Council Oldham MDC Strategic Planning and Information
Kirklees and bordering parish and town councils	
Cawthorne Parish Council Denby Dale Parish Council Dunford Parish Council Gunthwaite and Ingbirchworth Parish Council High Hoyland Parish Council Holme Valley Parish Council Kirkburton Parish Council	Meltham Town Council Mirfield Town Council Morley Town Council Ripponden Parish Council Saddleworth Parish Council Tintwistle Parish Council West Bretton parish Council
Regional Bodies	
Leeds City Region	West Yorkshire Combined Authority
Other specific consultees	
British Telecom Calderdale & Huddersfield NHS Foundation Trust Environment Agency Highways England Historic England Mid Yorkshire Hospitals NHS Trust National Grid Natural England	Network Rail NHS property Services Northern Gas Networks South West Yorkshire Foundation Trust The Coal Authority West Yorkshire Police Estates West Yorkshire Police Traffic Support Yorkshire Water

General Consultees

31 Group 3D Planning 4 Resourcing A Lockwood Planning and Design A+DP Architects Abel Woodhead and Sons Ltd Acorus Rural Property Services Ltd Acropolis Design Ltd Acumen Designers and Architects Ltd Adams Hendry Consulting Ltd Adviser National Trust	Kirkburton Civic Society Kirkburton Labour group Kirklees Active Leisure Kirklees Bridleways Group and Arrow Kirklees Campaign Against Climate Change Kirklees Community Action Network Kirklees Community Association Kirklees Environment Partnership Kirklees Green Party Kirklees Older People's Network Kirklees Older People's Network (Newsome)
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AFA Associates	Kirkwells Ltd
Agent Barratt Homes & David Wilson Homes	Knight Frank
AK Planning	KPH Plant Hire Ltd
Albion Mount Medical Practice	KSDL
Alcuin Homes (Yorkshire) Limited	Lady Heaton Drive Action Group
Alliance Planning	Lambert Smith Hampton
Almondbury (Castle Hill) Civic Associates	Land Manager Orion Homes Ltd
Alyn Nicholls and Associates	Land Restoration and Management Ltd
Amec Foster Wheeler	Landmark Information Group
Anthony Lightowler Architect	L'arche Developments (Yorkshire) Ltd
Applehaigh Developments Ltd	LCA
Architect Essence Architecture Ltd	Leeds GATE
Arcus Consulting	LEVER Technology Group PLC
Arriva Yorkshire Ltd	Lightcliffe Academy
Associated Waste Management Limited	lightcliffe gc
Atisreal Limited	Linden Homes
Aurora Estates Ltd	Lindley Methodist Church
B H Design	Lindley Moor Action Group
Bailey Smailes Solicitors	Lingards Community & NHW Association
BAM Construction Ltd - North East	Little Gomersal Community Association
Bartle & Sons	Liversedge AFC
Barton Willmore	Local Enterprise Partnership Leeds City Region
Batley & Dewsbury Green Party	Local Plans Manager " North Home Builders
Batley and Birstall Civic Society	Federation
Batley Community Alliance	Longwood Village Group
Bellway Homes	Lovell Johns
Benjamin Bentley & Partners	M D Belpont Ltd
Benjamin, Bentley and Partners	M.C. Holroyd and S. Brown Property
BGM Plastics Limited	Malcolm Sizer Planning Limited
Bilfinger GVA	Mallalieu Architects Limited
Birds Edge Countryside (BECside) Charitable	Manorwest Developments Ltd
Trust	Manr Building Services
Birkenshaw Village Association	Mark Oliver Homes
Birstall Village Improvement Group	Marsden and Slaithwaite Transition Town
BNP Paribas Real Estate UK	(Mastt)
Bodyzone Fitness Centre	Marsh Community Forum
BOLT(ED)	MARTIN WALSH ARCHITECTURAL
Boultons Estate Agents	Meltham Community Action Network
Bowcliffe Chartered Surveyors	Meltham Moor Primary School
Bradley Stankler Planning	Member of Parliament Batley and Spen
Bramleys	Member of Parliament for Morley and
Brighouse Civic Trust	Outwood
Brimble Lea and Partners	Merchant Fields Residents
British Geological Survey	Metro
British Wind Energy Association	Michael A Clynch Architect and Town Planner
Brockholes Action Group	Michael Housely Ltd
Brockholes Village Trust	Michael Knill Property Land Acquisitions
Brooke Smith Planning	Michael Steel and Co
Brunswick Architectural	Mike Greetham Architect
Burton Environment Group (BEG)	Milen Care
BWEA	Miller Homes

C49 Architecture	Miller Strategic Land
Cadmans Solicitors	Millstream Ltd
Cadvis 3D	Mineral Products Association
CAG	Mirfield Conservative Party Association
Calder and Colne Rivers Trust	Mirfield Labour party
Calderdale and Kirklees South West Yorkshire Foundation Trust	MJC Design
Calderdale Friends of the Earth	Morley Borough Independents
Calderdale Saddle Club	MP for Huddersfield
Campaign for Better Transport - West Yorkshire (previously Transfort 2000)	MWP Planning
Campaign for Real Ale	MYCCI
Campaign to Preserve Rural England	Nathaniel Litchfield and Partners (NLP)
Careyjones Architects	National Children's Centre
Carter Jonas	National Federation of Gypsy Liaison Groups
Carter Jonas LLP	Nature After Minerals Planning Adviser RSPB
CCL Building Civil Structural Design Group	Netherton Infant and Nursery School
Century Homes	Newsome Ward Community Forum
CEO Glint	Nexus Planning - Manchester
CHFT	NHS Commissioners
Chidswell Action Group	Nick Ryden Motor Engineers
Chorlton planning ltd	NJL Consulting
Chris Thomas LTD	Norman Littlewood and Sons (Properties) Ltd
Clayton Fields Action Group	Norrithorpe URC
Clayton Hall Farm	Nort Lafarge Aggregates Ltd
Clayton West Cricket Club	North Country Homes Group Limited
Cliff Walsingham and Company	North East, Yorkshire and the Humber The National Deaf Children's Society
Clive Brook Planning	North Kirklees Green Party
Colliers International	Northern Design Partnership
Colne Valley Carbon Reduction Action Group	Northern Trust
Colne Valley Design	npower renewables
Colne Valley Museum	NTL Group Ltd
Commercial Developments Projects Limited	NW-Architects
Community Steering Group for Sustainable Local Development	Occupational Therapist Princess Royal
Conroy Brook (Developments) Ltd	Community Health Centre
Consulting With a Purpose	Ogden Properties Ltd
Co-Operative Group	One17 Chartered Architects
CPRE	Operations Manager Myers Group
Crossroads Truck & Bus Ltd	Orange Design Studio
Crowley Associates	Orion Homes Ltd
Crown Estate Office	Osborne Clarke - Planning and Environment
CTC (Cyclists Touring Club)	Outlane Golf Club Ltd
CTC Right to Ride	P4 Planning Limited
Cumberworth C.E (A) First School	Paddock Community Forum
Cumberworth Community Association	Padfoot Developments Ltd
Cushman & Wakefield	Pakistan Association Huddersfield
Custom Telecom Ltd	Paul Butler Associates
D & J A Ruttledge Building Surveyors and Design Consultants	Paul Butler Planning
D Noble Ltd	PB Planning Ltd
	Peacock and Smith
	Pegasus Group
	Penmoor UK ltd

Dacre, Son & Hartley	Pennine Domestic Violence Group
Dalton Black Horse Resident Association	Persimmon Homes
Dave Whelan Sports Ltd	Peter Baker Associates
David Brown Tractor Club	Peter Brett Associates
David Hope Planning Consultant	Philip S Ryley & Co. LLP
Dawson Fabrics	PLACE
Defence Estates	Plainview Planning Ltd
Deighton and Brakenhall Initiative Limited	Planning and Building Design Services
Denby Dale and Cumberworth W I	Planning and Development Solutions Ltd
Denby Dale Labour Party	Planning Potential Ltd
Denby Dale Parish Environment Trust	Planning Prospects Ltd
Denby Planning Consultants	Planware Ltd
Denby Village Conservation Group	Plot of Gold Ltd.
Department for Environment, Food and Rural Affairs	Plotolders Land Management Group Ltd
Deputy Group Leader Kirklees Conservative Group	PRE Planning
Derek Scott Planning	Precision Pest Management
Design Council: CABE	Premier Autos
Design Management Limited	Preserve Honley and Brockholes
Dewsbury District Golf Club	Priory Asset Management
Diocese of Wakefield	Pritchard Associates
Directions Planning Consultancy	Public Health (Wellbeing and Communities)
Disabled Golf Association	Quarmby United Against Development
DL Building Consultants	Quod
DLP Planning Ltd	Raikes Lane Birstall
Don Catchment Rivers Trust	Ramblers Organisation
Dortech Architectural Systems Ltd	Ramsden's Solicitors LLP
Dove Haigh Phillips	Rapleys
DPDS Consulting Group	Rapleys LLP
Drafting Design Consultancy	Ravensthorpe Action Group
Drivers Jonas Deloitte	Ravensthorpe Community Centre Ltd
Dryden Wilkinson Partnership	Raw Materials Manger (Clayware) Wavin UK (Holdings) Limited
DTZ	Redrow Homes
Eastwood Homes	Regional Campaigns Officer RNIB
Eaton Smith Solicitors	Regional Development Officer Golf Foundation
Edris Estates Ltd	Regional Planner Historic England
Eleven52 Architects	Reliance Precision Limited
ELG	Richard Lee Project Planning
ELG Planning	River 2015 Charity
Ellis Healey Arctiects	Road Haulage Association
Emery Planning Partnership	Robert Halstead Chartered Surveyors
Emley Millennium Green	Robertshaws Chartered Surveyors
Empire Knight Group	Roberttown Residents Association
England Golf	Roberttown Residents Committee
Entec UK Ltd	Roberttown Women's Institute
Environmental Services Association	Roger Beck Chartered Planning Consultant
Enzygo Environmental Consultants	Roger Lee Planning Ltd
Equality and Human Rights Commission	Rose Consulting
Eric Roberts and Sons	Rural Solutions Ltd
ermrim Construction Ltd	S.A.R. Architects and Developers
	Saddleworth Travel

Ethical partnership	Sadeh Lok Housing Association
Evergreener Investments llp	Safia Association
F and W Drawing Services	Salendine Nook School Council
F M Lister & Sons	Sanderson Associates (Consulting Engineers) Ltd
Fairhurst	Sanderson Weatherall
Farnley Estates	Save Mirfield
Farnley Tyas Community Group	Savills
Farrar Bamforth Associates Ltd	Savills (L&P) Ltd
Farrell and Clark	SB Homes Limited
FCS Consultants	Scholes Future Group
Fern Lea Flats TRA	Scholes Residents Association
Ferndale Residents Association	Shelley Community Association
Fields in Trust	Shepley and District Naturalists Society
Fisher Meredith	Shepley Cricket Club
Fixby Residents Association	Shepley Mothers Union
Flockton Green W.M.C & Institute	Shepley Village Association
Footpath Officer Ramblers Association, Peak & Northern Footpath Soc. ARROW	Silks Estates
Forestry Commission England	Silkstone Environmental Ltd
Form Architecture	SK Design (Yorkshire) Ltd
Forward Planning and Design Ltd	Skelmanthorpe Community Action Group
Fox Lloyd Jones Limited	SLR Consulting Ltd
Friends of Beaumont Park	Smithies Community Group
Friends of Kirkburton Recreation Ground	Snr Planning Manager Redrow Homes
Friends of Storthes Hall Woods	Society for the Blind
Friends of the Earth (Huddersfield)	Soothill & District Community Forum & Batley Community Alliance
G L Hearn	Spawforth Associates
GAIL (Green Alert in Lepton)	Spen Valley Civic Society
Garganey Trust	Spen Valley Model Engineers
Geoconservation worker West Yorkshire	Spenborough Locality North Kirklees Primary Care Trust
Geology Trust	Spokesperson Netherton & South Crosland Action Group
Geography Teacher Honley High School	Sport England
Geoplan Limited (Marshalls Natural Stone)	Sputnik Limited
George F White	SSA Planning Limited
George Wimpey North Yorkshire Ltd.	Stainton Planning
Gladman Developments	Stephensons Estate Agents
GNEC	Steven Abbott Associates LLP
Golf Monthly Magazine	Stewart Ross Associates
Gomersal Green Homes Ltd	Strandwick Properties Limited
Government BRE Global	Strategy to Succeed Ltd
Greater Huddersfield Clinical Commissioning Group	Surface Planning
Green Alert in Lepton	Sustainable Places - Planning Advisor Environment Agency
Grimescar residents	T D Jagger Ltd
Growing Newsome	Taleem Centre
GVA	Tangent Properties
GWSN Limited	Tarmac
H.E.A.D	Taylor Wimpey UK Ltd
H31 Resident Group	
Hade Edge Fight for the Fields (HEFF)	
Hallam Design Associates	

Hanson Chartered Surveyors	Tetlow King
HD1 Developments Ltd	The Directorate of Airspace Policy
HD8 Network	The Emerson Group
Health and Wellbeing Board Kirklees Health and Wellbeing Board	The Farnley Tyas Community Group
Heckmondwike Bowling Club	The Garden Trust
Heckmondwike Labour Party	The Gypsy Council
Heleine Construction Sovereign Developments	The Lawn Tennis Association
Heppenstalls	The Mitchell Family Trust
Hepworth Community Association	The National Trust
Heritage Planning Design	The Netherton & South Crosland Action Group
Hickling gray Associates	The Planning Bureau Ltd
Highstone Homes	The Ramblers' Association
Highways Agency	The Showmen's Guild of Great Britain
Hill Cannon Consulting LLP	The Sirius Group
hockey architectural ltd	The Theatres Trust
Holmbridge Resident's Group	The Traveller Movement
Holme Valley Vision Network	The United Reform Church Heckmondwike
Holmfirth Community Forum	The Woodland Trust
Holmfirth Conservation Group	Thornhill Lees Action Group
Holmfirth Transition Town	Thornhill Lees Community Action Group
Home Builders Federation Ltd	Thornton and Ross
Home Office Direct Communications Unit	Three Valleys Sports + Development Community Trust
Honley Civic Society	Thurstonland Village Association
Honley Properties Ltd	TLC&C (Consultancy) Ltd
Horses Not Houses	Town Planner AMEC E&I UK
Hourigan Connolly	Town Planning Bureau
Howden Clough TRA	Townsend Planning Consultants
HPDA Ltd	Trans Pennine Trail
Huddersfield and District Archaeological Society	Transformation Locala
Huddersfield Bangladeshi Muslim Association	Transport 2000
Huddersfield Christian Fellowship	Traveller Law Reform Coalition
Huddersfield Civic Society	Turley Associates
Huddersfield Friends of the Earth, Holmfirth Transition Town and Marsden and Slaithwaite Transition Towns	Tweedale Ltd
Huddersfield Penistone Sheffield Rail Users Association	UK Outdoor Fitness
Huddersfield Ramblers	Ullyotts Chartered Surveyors
Huddersfield Town Centre Partnership Ltd	University of Huddersfield Students' Union
Huddersfield Town FC	Unknown Holgate Construction Ltd
I D Planning	Upper Dearne Woodlands Conservation Group
I O P Consulting	Uster Haigh Ltd
Iain Bath Planning	Valley Wind
Ian Baseley Associates	Vernon & Co
Ian C Stevenson	Vodafone and O2
Indian Muslim Welfare Society	W A Fairhurst and Partners
Indigo Planning	Wake Architects Ltd
Information by Design	Wakefield Diocese
Inspect Asbestos Solutions	Walker Morris LLP
IOP Consulting	Walker Singleton
	Walsingham Planning
	Walton and Co Planning Lawyers
	Weatherall Green and Smith

<p>IWA West Riding Branch J A Oldroyd & Sons Ltd J H Walter Jane Simpson Access Ltd JMP Consultants Ltd John Edward Crowther Ltd John Paley Associates Johnni Johnson Housing Trust Johnson Brook Johnson Mowat Jones Homes(Yorkshire) Ltd JRP Ltd JSC Pipework & Mechanical Services Ltd JVH Town Planning Consultants JWPC Chartered Town Planners K.C.Oakes and Sons KCAN/CPRE Keep Holmfirth Special Keep Our Rural Spaces Keep Roberttown & Hartshead Rural Committee KFTRA Kilmartin, Plowman and Partners Ltd Kirkburton and District Civic Society</p>	<p>Welcome to Yorkshire West Yorkshire Archaeology Advisory Service West Yorkshire Ecology West Yorkshire Fire and Rescue Service Westfield Estates Wharfedale Finance White & Co Property Advisory Limited White Young Green (WYG) WIFC Wood Plc on behalf of National Grid Woodhead Investments Woodsome Hall Golf Club Limited Wooldale Methodist Free Church WYG Yewtree Associates Yorkshire Developers Ltd Yorkshire Gardens Trust Yorkshire RSPB Yorkshire Water Services Ltd Yorkshire Waterway Unit Yorkshire Wildlife Trust Z Hinchliffe & Sons Ltd Zerum Consult Ltd Zion Baptist Church</p>
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Appendix C

Statement of the Representation Procedure

KIRKLEES COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL) – DRAFT CHARGING SCHEDULE (DCS) STATEMENT OF MODIFICATIONS

STATEMENT OF REPRESENTATION PROCEDURE

Under Section 212 of the Planning Act 2008 (as amended by Section 114 of the Localism Act 2011), Kirklees Council intends to consult on the Community Infrastructure Levy Draft Charging Schedule Statement of Modifications.

Kirklees Council is inviting representation on the Community Infrastructure Levy Draft Charging Schedule Statement of Modifications from 9am Monday 20th May to 5pm on Monday 17th June 2019 under Regulation 16, 17, and 19 of the Community Infrastructure Levy Regulations 2010 (as amended).

In accordance with the Regulations, Kirklees Council has made available for consultation:

- Community Infrastructure Levy Draft Charging Schedule Statement of Modifications
- Relevant evidence to support the CIL Draft Charging Schedule Statement of Modifications

All of the above documents are published on the Council's online consultation website at: <http://consult.kirklees.gov.uk/portal> and paper copies can be viewed at:

Location/ address	Opening times
Huddersfield Customer Service Centre, Civic Centre 3, Huddersfield HD1 2TG	Mon-Wed and Fri 9:00am to 5:00pm Thurs 10:00am to 5:00pm
Dewsbury Customer Service Centre, The Walsh Building, Town Hall Way, Dewsbury WF12 8EE	Mon-Thurs 9:00am to 5:00pm Fri 10:00am to 5:00 pm

Comments on the CIL Draft Charging Schedule Statement of Modifications can be made in writing in the following ways:-

- On the Council's consultation website: <http://consult.kirklees.gov.uk/portal>
- Comment forms are available at Huddersfield Customer Service Centre and Dewsbury Customer Service Centre, or can be downloaded from the Council's website and returned to us by **email** at local.development@kirklees.gov.uk or by **post** to: Planning Policy Group, PO Box B93, Civic Centre 3, off Market Street, Huddersfield, HD1 2JR

Any organisation or individual may request the right to be heard at the Examination. This request must be submitted in writing (this can also be done on the online comment form) and received within the specified consultation period 9am on 20th May 2019 to 5pm on 17th June 2019. Representations may also be accompanied by a request to be notified, at a specified address of any of the following:

- The publication of the recommendations of the examiner and the reasons for these recommendations, and

- The approval of the Charging Schedule by the Council.

Any organisation or individual who makes representations about the CIL Draft Charging Schedule Statement of Modifications may withdraw those representations at any time by giving notice in writing to the Council, sent to the specified address as detailed above.

Appendix D

CIL Draft Charging Schedule Consultations Press Advertisement

KIRKLEES COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL) – DRAFT CHARGING SCHEDULE (DCS) STATEMENT OF MODIFICATIONS

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Dewsbury Customer Service Centre, The Walsh Building, Town Hall Way, Dewsbury WF12 8EE	Mon-Thurs 9:00am to 5:00pm Fri 10:00am to 5:00pm

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- On the Council's consultation website: <http://consult.kirklees.gov.uk/portal>
- Comment forms are available at Huddersfield Customer Service Centre and Dewsbury Customer

Service Centre, or can be downloaded from the Council's website and returned to us by **email** at local.development@kirklees.gov.uk or by **post** to: Planning Policy Group, PO Box B93, Civic Centre 3, off Market Street, Huddersfield, HD1 2JR

Any organisation or individual may request the right to be heard at the Examination. This request must be

submitted in writing (this can also be done on the online comment form) and received within the specified consultation period 9am on 20th May 2019 to 5pm on 17th June 2019. Representations may also be accompanied by a request to be notified, at a specified address of any of the following:

- The publication of the recommendations of the examiner and the reasons for these recommendations, and
- The approval of the Charging Schedule by the Council.

Any organisation or individual who makes representations about the CIL Draft Charging Schedule Statement of Modifications may withdraw those representations at any time by giving notice in writing to the Council, sent to the specified address as detailed above.

Representations will be published on the Council's consultation website and made available for inspection on request. Representations cannot therefore, be treated as confidential.

Further information or help

If you require further help, please e-mail: local.development@kirklees.gov.uk

Appendix E

Summary of Comments Submitted During Consultation on the Kirklees CIL Draft Charging Schedule Statement of Modifications: 20th May 2019 to 17th June 2019

Comment Reference and Name	Organisation	Comment Summarised by Kirklees Council	Response
1. Do you consider that the new proposed levy rates in the Statement of Modifications have been informed by appropriate available evidence?			
CIL_SOM3 Sykes	Individual	Yes	Support noted
CIL_SOM4 Lukic	Kirklees Ward Councillor	Yes In most cases supported by Viability Update	Comment noted
CIL_SOM6 Hunter	Individual	Yes	Support noted
CIL_SOM7 Stringer	Wakefield Council	<p>The proposed rates for Kirklees are comparable with those adopted in Wakefield, in relation to the housing market areas at the district boundary.</p> <p>Need to ensure the approach to benchmark land value is consistent with NPPF 2019 and NPPG on viability. When considering the premium to the land owner, any evidence of transactions should relate to sites that have been compliant with policy requirements including affordable housing, and the price paid for land should not be the default benchmark land value.</p> <p>In relation to establishing benchmark land values, the final sentence of paragraph 2.15 of the Infrastructure Levy Viability Update, May 2019 states that it is assumed that individual sites used to inform the approach to the premium for the landowner were all compliant in respect of prevailing planning obligations and requirements. However, if sites were not compliant with prevailing</p>	Comment noted

		<p>planning obligations this could skew the outcome of the benchmark land value in favour of landowners, and reduce the amount of value in the development available to deliver CIL.</p>	
<p>CIL_SOM13 Neville</p>	<p>Harworth Group PLC</p>	<p>No</p> <p>The merger of zones 2 and 3 means that the areas that were previously subject to a charge of £5 sqm are now subject to a charge of £20 sqm. This merging of areas and the increased charge of £15 per sqm to those areas that were previously £5 per sqm could undermine the viability and deliverability of a number of sites within the Kirklees area.</p> <p>The basis for the increase in headroom for CIL is an increase in revenues. Cushman and Wakefield have also applied a deduction to BCIS owing to the larger housebuilders being able to achieve economies of scale on build costs through bulk deals. If a deduction in BCIS is used as the basis for creating extra headroom for CIL then there needs to be fully supported evidence of this reduction in cost from the market. Normally BCIS rises at a level with revenues and one cannot be increased without the other.</p> <p>There is no clearly defined review mechanism in place. Suggest that monitoring takes place on regular basis to demonstrate what impact the new level of CIL is having on development. Regular monitoring is important to ensure that CIL does not stifle development.</p>	<p>Comment noted.</p> <p>The merging of the charging areas is justified, the 2019 Viability Update demonstrates that new build residential values have increased within Value Area 3 to a level that would support an increased CIL charge of £20 psm.</p> <p>Comment noted. The Council intends to monitor and review the CIL charging schedule, see Background Report section 11.</p>
<p>CIL_SOM14 Willcock</p>	<p>Robert Halstead Chartered Surveyors and Town Planners</p>	<p>No</p> <p>District wide viability evidence is too generic. Three charging zones will not capture important differences in land values and house prices</p>	<p>Comment noted.</p> <p>The Council considers the approach to setting the charging zones and charge rates to be appropriate based on</p>

		<p>between certain areas threatening viability and deliverability of developments.</p> <p>Agree with the majority of assumptions adopted by Cushman & Wakefield in their update report, the contingency figure adopted in Table 2.1 is unrealistic at 3%. Planning appeal inspectors have adopted 5% on greenfield sites and up to 10% on brownfield sites, which is more standard practice.</p> <p>C & W report states that Land Registry data of average achieved sales revenues illustrate an average uplift in sales revenues of 8.42% across all postcode areas in Kirklees. Not fine grained enough. Evidence from local agents suggests uplifts are only happening in higher value areas, whereas lower value areas have more stagnant house price growth.</p> <p>Most importantly, proposed levy for Zone 4 has categorically not been informed by the Council's own independent evidence. Section 4 of the C & W update report shows that significant negative values exist in Zone 4 in terms of headroom available for CIL. Even with a zero rate in Zone 4, the evidence shows that developments would be unviable and hence undeliverable. Such areas are unlikely to be able to contribute towards affordable housing or other planning obligations based on how significant these negative figures are.</p> <p>Review and address urgently, if Council wishes development in Zone 4 to go ahead, particularly in the light of ever increasing construction costs and apparently stagnant house prices (and hence GDV).</p> <p>Council need to be careful about charges in other zones bearing in mind NPPF para 34 (undermining the deliverability of the plan). A significant proportion of development sites are currently unviable or require reduced S106 contributions. Many sites are difficult to develop as a result of site constraints.</p>	<p>robust evidence and in accordance with guidance. It accepts that as an area wide model it is not possible to model every single scenario. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability will not be placed at risk as a result of CIL.</p>
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<p>CIL_SOM15 Rose</p>	<p>Spawforth Associates (Miller Homes)</p>	<p>Planning and Infrastructure Miller Homes acknowledges the updating of the Infrastructure Delivery Plan Addendum (IDPA) at Appendix A of the Background Report. Miller Homes objects to this evidence as it continues to contain significant omissions.</p> <p>Guidance outlines CIL should only be considered where an identified funding gap is demonstrated. This process should also identify a CIL infrastructure funding target which also identifies those projects which could be funded by CIL. The IDPA sets out a number of projects which CIL is proposed to fund partly through CIL, however many of the amounts are noted as “tbd” which means the total funding gap is unknown. There is no indication contained within the Draft Charging Schedule of the other possible sources of funding to meet the funding gap. Clarity on further funding opportunities is needed to ensure that the infrastructure can be secured.</p> <p>Concerned that the IDPA remains an aspirational document with a list of projects as opposed to a route map for delivery of essential infrastructure. Not a reliable basis to form a view on soundness of proposed charging schedule and levels. Further work required to update document.</p> <p>Appendix A of the Background Report, which is an addendum of the IDP misses strategic opportunity for a new road to the south of Dewsbury.</p> <p>The IDPA should be reviewed.</p> <p>Viability Appraisal Update Continued serious doubts about the reliability of the evidence base upon which the CIL is founded. The Cushman and Wakefield May 2019 Viability Update continues to utilise assumptions which are not robust</p>	<p>The council considers that the IDPA is based on robust evidence, it updates the earlier infrastructure work demonstrating a significant known funding gap of over £102m. (Appendix A: Draft Charging Schedule: Background Report May 2019)</p> <p>The CIL NPPG (paragraph 16) states that the government recognises that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. Charging authorities should focus on providing evidence of an aggregate funding gap that demonstrates the need to put in place the levy.</p> <p>The IDP is a live document and will be reviewed on a regular basis, in consultation with key partners, local communities and infrastructure providers.</p> <p>Comment noted.</p>
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		<p>leading to policy outcomes which are invalid. Due to the uncertainty in the underlying evidence and the potential impact upon the delivery of development within the district a new £0 psm Zone should be introduced. The Dewsbury Riverside scheme should fall within this new £0 psm Zone, which is supported and inferred in the Viability Assessment conclusion.</p> <p>Other Costs Assumptions</p> <p>Build Costs Build costs are too low at £1038 psm (£96/sqft) due regard should be had to the BCIS median cost for House Building generally plus 10% for external costs. Typically standard build costs including externals are over £105/sqft.</p> <p>Professional fees and contingency C&W has assumed professional fees at 8% of build costs and external works. Based on evidence nationally from housebuilders and developers, for larger sites with a capacity of more than 500 dwellings, these professional fees can vary between 6 to 12% of build costs. Miller Homes would suggest a professional fee of 10% to reflect the complex nature of this site and uncertainties regarding abnormal costs. A contingency allowance of 3% has also been assumed by C&W. Again, this will vary dependent on the individual characteristics of each site and the amount of abnormal costs that may be attributable and is thus a conservative assumption. Suggest a contingency allowance of say 5% given the uncertainty regarding abnormal costs.</p> <p>Marketing, sales agent and legal fees C&W has assumed sales, marketing and legal fees of 3.5% of GDV. Assumptions between 3.5% and 4% of the GDV for marketing and sales costs are considered to be the industry norm.</p>	<p>The Council considers the approach to setting the charging zones and charge rates to be appropriate based on robust evidence and in accordance with guidance. The assumptions used within the study are based on up to date evidence set out in the 2019 Viability update. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability will not be placed at risk as a result of CIL.</p>
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		<p>Finance A finance rate of 6.75% on the 'negative balance' has been assumed. The industry norm is a debit rate of between 6 to 7.5% (including entry and exit fees). It is our experience that 7.5% is the actual norm.</p> <p>Profit A profit on GDV of 20% has been assumed for Market units. This is in line with the industry norm. However for the affordable units a profit of GDV of 6% has been utilised, this should be higher to reflect the risk which is taken on by the developer of not being able to dispose of the affordable units. For example in the recent Wakefield Plan Wide Viability Study CW have assumed 8% for this reason.</p> <p>Policy Standards</p> <p>Affordable housing C&W refers to tenure mix and transfer values as outlined in Kirklees Council's Supplementary Planning Document. Following the Government's cited proposals for 'starter homes', we would strongly advocate that these transfer values and tenure mix be reviewed to reflect changes in affordable housing policy going forward. Moreover, if the Council wants to maintain close to policy levels of affordable housing then the need for greater levels of flexibility in the definitions, tenure mix and restrictions on use is paramount.</p> <p>Abnormal Development Costs C&W is of the opinion that within the above value ranges, the sites can accept at least £150,000 per acre for abnormal costs. C&W states that this is at the higher end of the scale, providing a worst case scenario for more constrained sites in the district. Robust evidence has still not been presented which demonstrates this to be the case.</p>	
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		<p>Overall Conclusion on the Economic Viability Evidence</p> <p>The impact of the above on the assessments made by C&W would result in the conclusion that the introduction of CIL at the levels proposed will threaten the ability to develop sites and the scale of development identified in the Council's Local Plan.</p> <p>Concern that the evidence base has not been presented and the assumptions utilised do not justify the proposed residential charging rates, particularly the £20 per sq. m. which covers the majority of the Dewsbury Riverside site. At these rates the majority of schemes would be unviable, which is supported in the conclusion to the Viability Appraisal which suggests that for Dewsbury Riverside the scheme should be nil rated, or be considered through Exceptional Circumstances Relief or accommodate less than policy for affordable housing (para 4.4 of CW Viability Update 2019).</p>	
<p>2. Do you consider that the new proposed levy rates in the Statement of Modifications would strike an appropriate balance between securing additional investment to support the development identified in the Local Plan, and the potential effects on the viability of developments in Kirklees?</p>			
CIL_SOM3 Sykes	Individual	Yes	Support noted
CIL_SOM4 Lukic	Kirklees Ward Councillor	<p>No</p> <p>The levy rate proposed for the Chidswell development at £20 per sqm appears far lower than the development could support (£119 per sqm according to the table in paragraph 4.4 of the Viability Update). A higher levy rate should therefore be considered for this major development.</p>	The Council considers the approach to setting the charging zones and charge rates to be appropriate based on robust evidence and in accordance with guidance. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability

			<p>will not be placed at risk as a result of CIL.</p> <p>The CIL rate has been set to reflect the available evidence and assumptions at this point in time. It also reflects the housing market area within which Chidswell is located as a whole. Whilst the table in the report includes a figure of £119 per sqm headroom at Chidswell, it is likely that the development costs will be much higher as more detailed proposals come forward. As such it is considered that an appropriate rate (£20/m2) has been set at this stage.</p>
CIL_SOM6 Hunter	Individual	Yes	Support noted
CIL_SOM11 France	Individual	Yes	Support noted

<p>CIL_SOM13 Neville</p>	<p>Harworth Group PLC</p>	<p>No</p> <p>The merger of zones 2 and 3 means that the areas that were previously subject to a charge of £5 sqm are now subject to a charge of £20 sqm. This merging of areas and the increased charge of £15 per sqm to those areas that were previously £5 per sqm could undermine the viability and deliverability of a number of sites within the Kirklees area.</p> <p>The basis for the increase in headroom for CIL is an increase in revenues. Cushman and Wakefield have also applied a deduction to BCIS owing to the larger housebuilders being able to achieve economies of scale on build costs through bulk deals. If a deduction in BCIS is used as the basis for creating extra headroom for CIL then there needs to be fully supported evidence of this reduction in cost from the market. Normally BCIS rises at a level with revenues and one cannot be increased without the other.</p> <p>There is no clearly defined review mechanism in place. Suggest that monitoring takes place on regular basis to demonstrate what impact the new level of CIL is having on development. Regular monitoring is important to ensure that CIL does not stifle development.</p>	<p>Comment noted.</p> <p>The merging of the charging areas is justified, the 2019 Viability Update demonstrates that new build residential values have increased within Value Area 3 to a level that would support an increased CIL charge of £20 psm.</p> <p>Comment noted. The Council intends to monitor and review the CIL charging schedule, see Background Report section 11.</p>
<p>CIL_SOM14 Willcock</p>	<p>Robert Halstead Chartered Surveyors and Town Planners</p>	<p>No</p> <p>No - see above. If the CIL levy makes significant areas of Kirklees unviable for developers, then new housing developments, and all their associated public benefits, simply won't come forward.</p>	<p>Comment noted</p>

3. Do you consider that the differential rates proposed across the new residential charging zones in the Statement of Modifications would help ensure that the viability of development in the district is not put at risk?			
CIL_SOM3 Sykes	Individual	Yes	Support noted
CIL_SOM4 Lukic	Kirklees Ward Councillor	Yes	Support noted
CIL_SOM6 Hunter	Individual	Yes	Support noted
CIL_SOM11 France	Individual	Yes	Support noted
CIL_SOM13 Neville	Harworth Group PLC	<p>No</p> <p>The merger of zones 2 and 3 means that the areas that were previously subject to a charge of £5 sqm are now subject to a charge of £20 sqm. This merging of areas and the increased charge of £15 per sqm to those areas that were previously £5 per sqm could undermine the viability and deliverability of a number of sites within the Kirklees area.</p> <p>The basis for the increase in headroom for CIL is an increase in revenues. Cushman and Wakefield have also applied a deduction to BCIS owing to the larger housebuilders being able to achieve economies of scale on build costs through bulk deals. If a deduction in BCIS is used as the basis for creating extra headroom for CIL then there needs to be fully supported evidence of this reduction in cost from the market. Normally BCIS rises at a level with revenues and one cannot be increased without the other.</p> <p>There is no clearly defined review mechanism in place. Suggest that monitoring takes place on regular basis to demonstrate what impact the new level of CIL is having on development. Regular monitoring is important to ensure that CIL does not stifle development.</p>	<p>Comment noted.</p> <p>The merging of the charging areas is justified, the 2019 Viability Update demonstrates that new build residential values have increased within Value Area 3 to a level that would support an increased CIL charge of £20 psm.</p> <p>Comment noted. The Council intends to monitor and review the CIL charging schedule, see Background Report section 11.</p>

CIL_SOM14 Willcock	Robert Halstead Chartered Surveyors and Town Planners	No The Cushman & Wakefield update report is clear that within Zone 4, there is nowhere near enough headroom for CIL. As such, viability will most certainly be put at risk.	The Council considers the approach to setting the charging zones and charge rates to be appropriate based on robust evidence and in accordance with guidance. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability will not be placed at risk as a result of CIL.
CIL_SOM15 Rose	Spawforth Associates (Miller Homes)	<p>Review of Value Areas and Sales Evidence Do not agree with the assumption that there are 2 value areas across Dewsbury Riverside, due to the lack of concrete sales evidence to confirm these areas.</p> <p>The evidence on revenues is not robust and therefore results in a CIL rate which cannot be relied upon. Suggest the Charging Zones be adjusted to reflect more appropriate areas and boundaries. Dewsbury Riverside should be identified as a single charging zone of £0psm. The charging zones should be reviewed.</p> <p>Residential Development Scheme Selection In relation to the strategic site at Dewsbury Riverside, Miller Homes object to some of the assumptions and conclusions made.</p>	The Council considers the approach to setting the charging zones and charge rates to be appropriate based on robust evidence and in accordance with guidance. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability will not be placed at risk as a result of CIL.
4. Please provide any other comments that you wish to make on the Statement of Modifications including the modifications reference number.			
CIL_SOM3 Sykes	Individual	The schedule in Appendix C (amended to Appendix B) must be enforced with the vigour that Council Tax is.	Comment noted
CIL_SOM5 Smith	Historic England	No comments on modifications.	Noted.
CIL_SOM8	Individual	Clear and rational revision of the previous document.	Comment noted

Forrest			
CIL_SOM Crawshaw	Environment Agency	No comments on changes set out in the statement of modifications. Comments contained in our response to you dated 24 th February still apply.	Noted
CIL_SOM10 Atkin	Individual	Information should be in layman's terms. Oppose any building on greenbelt land until all other existing building land exhausted. Safeguard green land for wildlife. Look at infrastructure and see if it can support what is planned to be built.	Noted.
CIL_SOM11 France	Individual	CIL -M26, Appendix C Concern on previous and current record on collection of S106, on proposal to allow payments by instalments. Need to be assured, effective formal mechanisms and staff will be put in place and effective operation.	Comment Noted.
CIL_SOM12 Rush	Individual	Support with one small exception, levy on affordable housing. Reduce the levy on affordable housing in each of the three zones, particularly starter homes. Reducing the levy on affordable, starter housing would keep the cost down for young families. In addition to physical infrastructure requirements a key part of the nation's infrastructure and that of local communities is the growth and nurturing of families. Many young couples can't afford to get on the housing ladder and are choosing to delay or not have children.	The provision of affordable housing is not covered by the CIL, and remains a separate policy area that can be delivered through s106 agreements. The Local Plan affordable housing policy has been tested by the Local Plan and updated CIL Viability Assessment, and used to inform the CIL rates.

<p>CIL_SOM13 Neville</p>	<p>Haworth Group PLC</p>	<p>For brownfield sites, there doesn't appear to be any consideration given to potential demolition costs unless this is included within abnormals.</p>	<p>The Council considers the approach to setting the charging zones and charge rates to be appropriate based on robust evidence and in accordance with guidance. It accepts that as an area wide model it is not possible to model every single scenario. An appropriate allowance has been set for abnormal site costs. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability will not be placed at risk as a result of CIL.</p>
<p>CIL_SOM14 Willock</p>	<p>Robert Halstead Chartered Surveyors and Town Planners</p>	<p>Considerable further clarification about the relationship between CIL and S106 contributions required. The term 'strategic' needs to be fully defined in the Reg 123 list for CIL infrastructure.</p> <p>Paragraph 1.8 also requires clarification. The term 'large scale' needs to be clearly defined as there are no thresholds specified in any related Local Plan policies. Significant risk of 'double dipping' if clear thresholds are not defined.</p> <p>Paragraph 1.7 states that use of Section 106 obligations has been scaled back. Not aware that S106 obligations have been scaled back at all. Developers are still being asked to provide POS, affordable housing, education, metro cards etc. The Council need to specify which S106 obligations it should no longer be asking for post- 6 April 2010, so that developers are not being asked to provide S106 contributions contrary to Regulation 123.</p>	<p>Comment noted</p> <p>Strategic Infrastructure Projects will be identified by the council in the Infrastructure Delivery Plan and reviewed on an annual basis.</p>

<p>CIL_SOM15 Rose</p>	<p>Spawforth Associates (Miller Homes)</p>	<p>Operation of CIL The new 2019 CIL Regulations will come into force 1st September 2019, the Draft Charging Schedule needs to be updated to reflect the new regulations to ensure the Operation of CIL is aligned to the relevant legislation.</p> <p>Supporting documentation needed to operate CIL required and make it available for input/comment. This needs to be done so that participants and stakeholders are able to comment on the effective operation of CIL.</p> <p>Payment of CIL by Instalments Should better reflect viability and delivery of large sites. Site assembly and preliminary works can take 6 to 12 months. Suggest that on larger sites that payments be put back from 26 weeks (6 months) and commence at 52 weeks (12 months).</p> <p>Recognition should be given to large scale developments which are delivered over a number of years and which can endure particular issues in relation to cash flow and the delivery of on-site infrastructure. Instalments Policy does not contain a clause to reflect the potential for a site to be commenced and then stalled, for example in a recessionary period.</p> <p>Payments in Kind Objection maintained and is still concerned that details of a “payments in kind” policy have not been published alongside the DCS to indicate how the approach to CIL would be undertaken in the Authority area.</p> <p>Discretionary Relief and Exceptional Circumstances Relief Objection maintained and is still concerned that details of a discretionary and exceptional circumstances relief policy have not</p>	<p>Comment noted</p> <p>The Council considers the approach to setting the charging zones and charge rates to be appropriate based on robust evidence and in accordance with guidance. The Council has undertaken a consistent methodology that has applied appropriate safeguards to ensure that deliverability will not be placed at risk as a result of CIL.</p>
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		<p>been published alongside the DCS to indicate how the approach to CIL would be undertaken in the Authority area. Important that the Council make available the offer of relief from the date of adoption of CIL and that the approach is clearly outlined in accordance with the Regulations and Guidance.</p> <p>Reviewing CIL The legibility of the CIL Charging Schedule would be enhanced if the Review Mechanisms were set out in the DCS. At present the DCS is silent on the review mechanisms.</p> <p>Regular monitoring is important to ensure that CIL does not stifle development in the right locations.</p> <p>Proposed Modifications Representations need to be read in conjunction with the Draft Charging Schedule: Statement of Modification.</p> <p>In general it should be noted that the 2019 regulations are due to come into force 1st September 2019 and as such these modifications should reflect the proposed amends or they will swiftly become obsolete.</p> <p>CIL – M1 Para 1.1, CIL – M2 Para 2.2, CIL – M3 Para 2.5 , CIL – M4 Para 2.7 - Modification needs to be updated to reflect the revised regulations which come into force on 1st September 2019.</p> <p>CIL – M5 Para 3.4, CIL – M6 Para 4.2, CIL – M7 Para 4.3, CIL – M8 Para 4.5, CIL – M9 Para 4.7, CIL – M10 Para 4.8 CIL – M11 Para 4.8, – No Comments on Modification.</p> <p>CIL – M12 Para 4.9 - No Comments on this modification. See comments in relation to the IDP and shortcomings contained therein.</p>	
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		<p>CIL – M13 Para 4.10 – Serious issues have been identified in representations from 2016 and above relating to the viability study underpinning this policy instrument.</p> <p>CIL – M14 Para 4.11 – Modification needs to be reconsidered in light of the fundamental issues found in relation to the update April 2019 viability study.</p> <p>CIL – M15 Para 4.12 – No comments upon the re-numbering of the paragraph. Shortcomings in the evidence base which is the basis for the policy approach. As currently drafted the rates do in fact threaten the viability of development across the district.</p> <p>CIL – M16 Para 5.1 CIL Draft Charging Rates Table – Modification needs to be updated to introduce a new £0 psm rate for residential development. Due to shortcomings and flaws in the evidence base. As drafted the rates do in fact threaten the viability of development across the district in direct conflict with the guidance (para 25-009-20190315)</p> <p>CIL – M17 Para 5.2 & Para 5.3, CIL – M18 Para 5.4 - No Comments on modification.</p> <p>CIL – M19 Section 6 The Regulation 123 List Para 6.1 – 6.9 Object to this modification on the basis that it is not aligned to the CIL Regs 2019 which come into force 1st September 2019 and will swiftly become out of date.</p> <p>CIL – M20 Section 7 – We have no comments to make on the paragraph renumbering. Important that the payment terms policy is re-considered to ensure alignment with the guidance.</p> <p>CIL – M21 Para 7.1 - No comments on this modification.</p>	
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		<p>CIL – M22 Para 7.5 - Instalments policy as currently drafted may cause serious complications in terms of Return on Capital Employed (ROCE) which may delay or frustrate investment in allocation sites throughout the district. Suggested instalments policy is re-written to take into account the realistic lead in times and difficulties faced in financial terms in the early stages of development. As drafted the rates do in fact threaten the viability of development across the district.</p> <p>CIL – M23 Section 8 - No Comments on this modification.</p> <p>CIL – M24 Appendix A - The 2019 Draft Charging Schedule Charging Rates and Map needs to be modified. Object to the current Boundaries and Zones as shown on Appendix A. A “fine grained analysis” (Para 19 – 25-019-20190315) needs to be undertaken to justify the differential between charging zones. It is not evident that sufficient evidence has been provided to justify where the boundaries fall on the Draft Charging Schedule Charging Rates Map. As drafted Appendix A may render development unviable in direct contradiction to the purpose of the policy and Guidance (para 25-016-20140612) which is to support new development across the district.</p> <p>Reconsideration needs to take place where in several circumstances a £80 levy/£20 levy and or £5 levy are in place where this cuts across a single settlement. Cogniscance of the location of proposed residential allocation sites need to be taken into account when drawing boundaries, it is absurd to propose that one residential outlet on an allocation site can have several rates of CIL imposed, in all likelihood the sales revenues will not differ greatly across a site and thus boundaries should be drawn around allocation sites rather than utilizing a blunt instrument such as ward boundaries. A new £0 psm rate area should be introduced for residential development to ensure that development in the district is not stymied by this policy</p>	
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		<p>instrument. The Dewsbury Riverside site should be included in this new £0 psm rate area</p> <p>CIL – M25 Appendix B – No comments upon this modification. The 123 List as drafted will be superseded by an Infrastructure Funding Statement and should be re-considered in light of the forthcoming regulations.</p> <p>CIL – M26 Appendix C – The policy will need to reflect the forthcoming 2019 regs . The Draft CIL instalments policy needs to be reconsidered to provide greater scope for lead in times which are typically experienced. On large or complicated sites or those with a number of significant infrastructure requirements it is not untypical that lead in times from start on site until first sale can be 12 months or more. As currently drafted the instalments policy would mean that half of the CIL bill would be due before the first sale, this will have a significant negative impact upon ROCE which will put at risk development being delivered across the district and reduce the attractiveness of the district as a place to invest. It would be advisable to amend the CIL instalment policy now rather than later to allow for greater lead in times this will provide greater certainty to the development industry. Miller Homes object to the instalments policy as currently drafted due to the undue harm it may have upon delivery of development.</p> <p>Proposed Changes</p> <p>To overcome the objection, the Council should:</p> <ul style="list-style-type: none">• Review CIL to ensure reflects 2019 Regulations.• Review the Viability Appraisal and provide evidence.• Review the IDP to ensure reflects the adopted policies of the Plan.• Include a £0 psm rate for Dewsbury Riverside.• Amend Instalments Policy.	
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		<ul style="list-style-type: none"> • Include Payments in Kind, Discretionary Relief and Exceptional Circumstances Relief Policy. 	
CIL_SOM16 Sykes	Individual	<p>Infrastructure of the village of Netherton as well as surrounding areas is way too small to sustain such major development. Would be greatly detrimental for many reasons access roads narrow, shops and facilities are limited, schools & GP's capacity, water & sewerage difficult to deliver.</p> <p>If development goes ahead green belt would be lost forever.</p>	<p>The Kirklees Local Plan was adopted on the 27th February 2019. Land in Netherton has been removed from the greenbelt and allocated for housing.</p> <p>The Community Infrastructure Levy is a tariff based charge on new development. The money collected will be used to fund identified infrastructure projects with a proportion going directly to local communities.</p>