

Kirklees Council

Community Infrastructure Levy (CIL)

Draft Charging Schedule Statement of Modifications Consultation Report

July 2019

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Kirklees Community Infrastructure Levy (CIL) Draft Charging Schedule Statement of Modifications Consultation Report

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 planning obligations this could skew the outcome of the benchmark</p>	Comment noted

		land value in favour of landowners, and reduce the amount of value in the development available to deliver CIL.	
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	<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 robust evidence and in accordance</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>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)	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. 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. Residential Development Scheme Selection In relation to the strategic site at Dewsbury Riverside, Miller Homes object to some of the assumptions and conclusions made.	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

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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>