

Preliminary Draft Charging Schedule Report of Consultation

1. Introduction

- 1.1. Cheshire East Council resolved on the 9th February 2016 to undertake the work necessary for the preparation and approval of a Community Infrastructure Levy (“CIL”) charging schedule.
- 1.2. In line with the CIL regulations, the Council prepared a preliminary draft charging schedule for consultation along with a CIL charging zone map as the Council’s initial proposals for the levy, for public consultation between the 27 February 2017 and the 10 April 2017. The accompanying documents to the consultation included an initial draft of the Council’s regulation 123 list and a CIL viability study, prepared by consultants Keppie Massie.
- 1.3. The purpose of this report is to summarise the consultation on the preliminary draft charging schedule, the comments submitted, responses to comments made and overall, the ways in which the consultation on the preliminary draft charging schedule met the requirements set out in the CIL regulations.
- 1.4. Annex 1 sets out the key issues raised during the consultation and whether any changes to the draft charging schedule have been made to reflect the responses received.

2. Consultation Documents

- 2.1. Comments could be made on the following documents:
 - preliminary draft charging schedule (incorporating the initial draft of the regulation 123 List)
- 2.2. In addition, the following supporting documents was published:
 - preliminary draft charging schedule viability report prepared by Keppie Massie
 - residential CIL charging zone maps at a lower scale

- 2.3. Printed copies of comments forms and the guidance note were produced.
- 2.4. Copies of the consultation documents and supporting documents were available for inspection at:
- Crewe Customer Service Centre, Delamere House, Delamere Street, Crewe CW1 2JZ;
 - Macclesfield Customer Service Centre, Town Hall, Market Place, Macclesfield SK10 1EA;
 - Municipal Buildings, Earle Street, Crewe CW1 2BJ;
 - Westfields, Middlewich Road, Sandbach CW11 1HZ; and
 - All public libraries in Cheshire East (including the mobile library service).
- 2.5. All of the documentation was made available on the Council's consultation portal, accessed via www.cheshireeast.gov.uk/localplan. The consultation portal also allowed representations to be submitted online. A screen shot of the consultation portal is included in Appendix 1.
- 2.6. Responses were accepted:
- using the Consultation Portal accessed via a link from www.cheshireeast.gov.uk/localplan;
 - by email to localplan@cheshireeast.gov.uk or cil@cheshireeast.gov.uk;
 - by post to Cheshire East Council, Spatial Planning, Westfields, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ; and
 - by hand to the Council Offices, Westfields, Middlewich Road, Sandbach CW11 1HZ.

3. Notification of the Consultation

- 3.1. Notification of the consultation was sent to all stakeholders on the Council's Local Plan consultation database. This consisted of 3,971 hard copy letters and 11,270 emails sent on 27 February 2017. The stakeholders on the Local Plan consultation database include local residents, landowners and developers.
- 3.2. A copy of the notification email and letter is included in Appendix 2. A specific e-mail including a copy of the consultation document and invitation to make comments on the preliminary draft charging schedule was sent to Town and Parish Council's and adjoining Local Authorities,

in line with the Regulation 15 of the CIL regulations. This is included in appendices 6 & 7.

- 3.3. Email letters were sent to all Cheshire East Councillors, all Town and Parish Councils in Cheshire East and all MPs whose constituencies lie partly or wholly within Cheshire East Borough.
- 3.4. Town and Parish Councils adjoining Cheshire East in neighbouring authority areas are included in the general consultation database and received the letter / email as detailed in paragraph 3.1.

4. Other Publicity

- 4.1. The Cheshire East Council website homepage (www.cheshireeast.gov.uk) signposted the consultation on the preliminary draft charging schedule on the 'consultations' sections. The Local Plan page (www.cheshireeast.gov.uk/localplan) also signposted the consultation in a prominent position. Screenshots from these two pages are included in Appendix 3.
- 4.2. A press release titled 'Council Launches Consultation on Levy to Boost Development Infrastructure' was issued on 22 February 2017. A copy of the press release is included in Appendix 4.
- 4.3. The press release resulted in a number of associated articles being published in the local and regional press both in printed and online form, including:
 - Cheshire Today (9 March);
 - Middlewich Guardian (4 March);
 - Wilmslow.co.uk (27 February);
- 4.4. An article was also included in the 'Partnerships' newsletter (see appendix 8). The Partnerships newsletter is distributed to 2000 e-mail addresses including organisations such as:
 - Cheshire Police and Fire Service
 - Town Partnerships
 - Town/Parish Councils
 - Schools, colleges and university
 - Children's Centres
 - Community and voluntary groups including Age UK, Groundwork Trust and other major charities
 - Organisations such as CVS, CCA and ChALC

- Registered Social Landlord's
 - Public Health, CCG's and other health organisations
 - Manchester Airport
 - Local Businesses and business chambers
 - Churches/religious groups
 - Citizen Advice Bureau's
 - Museum's
 - Elected Members
- 4.5. The Spatial Planning Update, in March 2017, included an article on the Community Infrastructure Levy, set out in Appendix 11. This is sent to Town and Parish Council's and published on the Council's website.
- 4.6. The Council also wrote to promoter(s) / developer(s) of sites allocated within the Local Plan Strategy. This letter noted the importance of engagement with Local Plan Strategy site promoters to ensure the most appropriate and robust draft CIL charging position is achieved. A copy of this letter is set out in Appendix 9.

5. Summary of responses

- 5.1. A total of 58 completed questionnaire responses to the consultation was received from 51 landowners, developers, groups and individuals on a range of issues including the charging schedule, the CIL viability study, the initial draft regulation 123 list and general comments.
- 5.2. One response, from Congleton Town Council was received as a late response on the 19th April 2017.
- 5.3. Of the 58 responses, 20 were submitted via the consultation portal and 38 were submitted via e-mail.
- 5.4. Following an initial review of the responses received to the consultation – a letter was sent on the 4 May 2017 to Local Plan Strategy Site Promoters to provide appropriate and available information to inform the Local Plan Strategy site assessments. A copy of this letter is set out in Appendix 10.

6. Summary of Issues

- 6.1. The preliminary draft charging schedule consultation document included 8 consultation questions which sought the views of stakeholders on matters including the methodology employed to establish the CIL rates, the approach to strategic sites and delivery of infrastructure. It also

asked whether, on adoption of a future CIL Charge, the Council should create policies on matters including instalments, land and infrastructure in kind etc.

- 6.2. A summary of issues broken down by question is set out in the following section:

Do you agree with the assumptions and methodology used in the Keppie Massie Preliminary Draft Charging Schedule Viability Assessment?

- 6.3. A number of settlement specific objections were received alongside concern that the viability testing of Local Plan Strategy strategic sites had not been undertaken. The preliminary draft consultation document made clear that 'appropriate and available' evidence was sought by Local Plan Strategy site promoters during the consultation to support the viability testing of a selection of strategic sites. Testing of an appropriate sample of Local Plan Strategy sites has now been undertaken to inform the position consulted on for the draft charging schedule.
- 6.4. A number of comments were received with regard the appraisal inputs utilised by the Council's viability consultants in establishing the CIL rates. Keppie Massie have considered all the comments made to the preliminary draft charging schedule viability report and made adjustments where considered appropriate to the viability assessments which informs the CIL draft charging schedule position.

Do the proposed rates in the Preliminary Draft Charging Schedule strike an appropriate balance between funding infrastructure and any potential effects on the viability of development?

- 6.5. A number of respondents referenced the approach in Cheshire West and Chester to establishing a CIL Charge. This proposed a flat rate for residential uses of £110 per sqm covering Chester and a large rural area. Following the examination of the Cheshire West and Chester CIL, this rate, alongside the boundaries used have been amended to reflect a £70 per sqm charge. Cheshire West and Chester have now adopted a CIL Charge to be implemented from September 2017 onwards.
- 6.6. A selection of respondents asked for further transparency regarding what CIL receipts would be spent on and its relationship to S.106. This is now provided in supporting documentation to the draft charging schedule consultation.

6.7. There was also acknowledgment that the proposed rates could change following a clearer understanding for the Local Plan Strategy strategic sites and the outcome of the consideration of comments received to the preliminary draft charging schedule consultation. In response, a number of Local Plan Strategic Sites have been subject to viability testing to inform the position of the Council to the draft charging schedule consultation.

What approach should be taken to strategic sites identified in the Local Plan Strategy, when considering the delivery of infrastructure, CIL payments and / or S.106 agreements? Please provide 'appropriate and available' evidence to support your view.

6.8. There was clear support for Local Plan Strategy sites to be subjected to viability testing to inform the CIL position at the draft charging schedule stage due to their importance to the overall housing supply up to 2030. A number of respondents requested that strategic sites be subject to a S.106 regime only due to their complexity in overall site delivery. The draft charging schedule consultation is supported by viability testing of a selection of Local Plan Strategy strategic sites. The sites represent different typologies and locations of development, across the borough and represent a robust position for the proposed CIL charging rates to be based.

6.9. There was a request for clarity on the approach of the Council to S.106 and the future operation of CIL with specific reference to strategic site delivery. This has now been provided in the supporting documentation to the draft charging schedule.

Do you agree that the Council should introduce an instalments policy to stagger future CIL payments? If so, do you have any suggestions on the approach that the Council should take to such a policy?

6.10. Respondents from the development industry agreed that further detail should be set out regarding the scope and definition for the triggering of future CIL payments. The Instalment Policy should aim to reflect, as closely as possible, the timing of delivery of the development, to ensure that the CIL does not put unnecessary pressure on cashflow and viability.

6.11. A number of respondents noted that the viability testing associated with establishing the CIL charge should not include an instalments policy built into the viability modelling as a instalments policy can be amended or changed.

6.12. Supporting documentation to the consultation on the draft charging schedule now includes a draft instalments policy.

Do you think that the Council should offer relief for any of the following discretionary criteria? Please include 'appropriate and available' evidence to support the view.

- a) Land and Infrastructure in Kind**
- b) Relief for exceptional circumstances**
- c) Relief for Charitable Investment Activities**
- d) Any other discretionary relief**

6.13. The Highways Agency noted that they would welcome the Council's position on accepting infrastructure 'in kind' as well as through monied transfers.

6.14. A number of respondents noted that it was difficult to comment in detail without the confirmation of approach by the Council. Therefore, there is an expectation that the consultation, at draft charging schedule stage, would be supported by draft policies on the matters noted above.

6.15. A number of respondents noted that the Council allowed for exceptional circumstances. They asked that the Council make clear at the earliest opportunity, the supporting documentation needed to operate CIL and to make it available for consultation.

6.16. CIL Regulations permit authorities to accept land transfer and / or construction of infrastructure as payment for all or part of the levy. Such an approach would allow, for example, for the transfer of land to the Council or for infrastructure to be delivered by the developer rather than the Council in appropriate circumstances.

6.17. Supporting documentation to the consultation on the draft charging schedule now includes the Council's position on matters including land and infrastructure in kind and other discretionary relief

Do you have any views on the content of the Council's initial Draft Regulation 123 list and the proposed balance between CIL and S.106 ?

6.18. Some of the respondents considered that the Infrastructure Delivery Plan took a helicopter view of the Borough with particular reference to Local Service Centres or rural areas in the Borough.

6.19. Some Town and Parish Councils have asked for further guidance on how they can use CIL funding. Further guidance has also been requested on the relationship between S.106 and CIL on the adoption of

CIL. This has been provided as part of the supporting documentation to the consultation on the draft charging schedule.

- 6.20. A number of respondents noted that contents of the Housing White Paper (February 2017) and the acknowledgement that the government is currently reviewing the principal and operation of CIL, alongside other planning obligations. It is acknowledged that should the government announce, through the autumn budget statement, that it intends to reform the future operation of CIL, including through changes to regulations or by proposals for a replacement development tariff that the council will have to respond through its CIL programme.
- 6.21. Another issue raised during the consultation was the importance of transparency on what a Charging Authority intended to fund through CIL and those matters where S.106 contributions were sought to avoid developments being charged twice for the same item of infrastructure. This has been provided as part of the supporting documentation to the consultation on the draft charging schedule.
- 6.22. A number of different infrastructure items were referenced by respondents that (in their view) was absent from the draft regulation 123 list which supported the consultation. The Council has reflected on those items contained on the draft regulation 123 list and made adjustments, where appropriate.
- 6.23. A number of developers argued that only Section 106 agreements only should be used on strategic sites with a £0 psm residential CIL rate applied.
- 6.24. A number of developers asked for further information to be published to support and evidence for the anticipated S.106 contributions to be sought by Cheshire East and ensure that the combined total cost of S106 and CIL is not in excess of historically delivered S.106 contributions. Information on S.106 contributions secured over the last 3 years has been provided alongside the consultation on the draft charging schedule.
- 6.25. A number of comments have asked that the Council consider in further detail those items contained on the regulation 123 list and provide evidence related to the proposed funding gap. The infrastructure projects document published alongside the draft charging schedule contains more information on the funding gap that CIL will be contributing towards closing.

- 6.26. A number of comments from the development industry suggested that the Council should avoid the regulation 123 list containing references to generic pieces of infrastructure to avoid the perception of double charging developments for infrastructure contributions.
- 6.27. Highways England have asked that the Council monitor its funding gap on adoption of CIL on an annual basis to support the appraisal of joint funding opportunities. This is noted by the Council.
- 6.28. The Canal and Rivers Trust supports the proposed Draft CIL Charging schedule and welcome the inclusion of canal towpath improvements on the regulation 123 list. They note that S106 planning obligations would still be able to be used for mitigation in relation to 'site related pedestrian, cycle or bus facilities / service provision.' Towpath improvements could be said to fall within this definition. They suggest that where an improvement/mitigation is required to make the development acceptable, it should be secured by s106 in order to provide more certainty that it would be delivered. The inclusion of canal towpath improvements on the Regulation 123 list would mean that on the adoption of a CIL charge, contributions for canal towpath improvements will be sought via CIL rather than through S.106 agreements.
- 6.29. Natural England advise that the council gives careful consideration to how CIL intends to enhance the natural environment. This is noted by the Council.

Do you have any other comments on the Preliminary Draft Charging Schedule?

- 6.30. Some respondents have noted that the charging Zone Map in Appendix B of the consultation document was unclear. During the consultation, maps for the southern, central and northern areas of the Borough were produced on an OS base and included on the consultation portal.
- 6.31. The Cheshire East Local Access Forum stressed the importance of access to the countryside for the purposes of leisure walking, cycling and horse riding, for active travel, and in recognition of the value this access to the Quality of Place of the borough. This is noted by the Council.

Appendix 1: Screen Shot from the Consultation Portal

The screenshot shows the Cheshire East Council Consultation Portal. The header includes the council logo, the text 'Consultation Portal', and navigation links for 'Accessibility | Privacy | Home | Contact Us'. Below the header is a search bar and utility links for 'Login / Register', 'Who Said What?', 'Help', and 'Print'. The main content area displays the title 'Community Infrastructure Levy Preliminary Draft Charging Schedule' and provides detailed information about the levy, including its purpose, how it is charged, and the council's intention to introduce a charging schedule. It also lists consultation documents, provides guidance on submitting comments, and outlines the next steps in the process. The page concludes with a list of other current consultations.

Cheshire East Council Consultation Portal

Accessibility | Privacy | Home | Contact Us

Search [] []

Login / Register Who Said What? Help Print

Consultation Home > Planning > Cheshire East Local Plan > Community Infrastructure Levy > **Community Infrastructure Levy Preliminary Draft Charging Schedule**

Community Infrastructure Levy Preliminary Draft Charging Schedule

The Community Infrastructure Levy (CIL) is a planning charge that can be used by local authorities to support the development of their area. It allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to help fund a wide range of infrastructure that is needed as a result of development.

CIL is charged as a fixed rate per square metre of new floor space. The rate is set by local authorities in consultation with local communities and developers, and is tested through an independent examination.

Cheshire East Council intends to introduce a CIL Charging Schedule for new development. We have prepared evidence related to the viability of introducing a charge, a list of potential infrastructure projects to be funded and a preliminary draft charging schedule, which is now the subject of consultation.

Consultation Documents

- Community Infrastructure Levy Preliminary Draft Charging Schedule (PDF, 8.0 MB) (including the initial draft Regulation 123 list)
- Preliminary Draft Charging Schedule Viability Report (PDF, 7.8 MB)

Guidance on Submitting Comments

The Preliminary Draft Charging Schedule sets out the initial proposals for the CIL rates to charge on residential and non-residential development in Cheshire East. We would like to know your views on the CIL rates proposed in the Preliminary Draft Charging Schedule and the supporting viability evidence and assumptions to determine the Preliminary Draft Charging Schedule.

The comments form asks a series of questions on various aspects of the viability assessment and the schedule. **N.B Please note that the proposed CIL rates are presented on a per sqm basis.**

In order to assist the interpretation of the Preliminary Draft Residential CIL Charging Zone Map, the following lower scale plans are provided:

- CIL Residential Charging Zone Map - Northern Area of the Borough
- CIL Residential Charging Zone Map - Central Area of the Borough
- CIL Residential Charging Zone Map - Southern Area of the Borough

You can submit your comments online using this consultation portal - click the 'Start Survey' button below to open the survey form. If you have not done so already, the system will invite you to log-in or register before submitting your responses.

If you have previously commented on any Local Plan consultation (whether through the consultation portal or not), you will already have a registered account. Please contact us by email (CIL@cheshireeast.gov.uk) or phone (01270 685893) if you need to know your log-in details.

Alternatively, you can submit comments by email or in writing. Information is contained in the [Statement of Representations Procedure \(PDF, 152 KB\)](#).

Comments must be received by 5:00pm on **Monday 10 April 2017** and the consultation portal will not accept comments after this time.

What Happens Next?

The Council will consider all the comments received before producing a Draft Charging Schedule. This will be subject to further consultation before we submit it to the Secretary of State for an independent examination. If approved through the examination, the Council will be able to adopt the Charging Schedule and apply CIL charges to applicable developments that receive planning permission.

Other Current Consultations

This is the consultation on the Community Infrastructure Levy Preliminary Draft Charging Schedule. We are currently running a number of consultations related to planning policy documents. To submit comments on these other documents, please follow the links:

- Local Plan Strategy - Proposed Main Modifications (consultation ends 5pm on 20 March 2017);
- Site Allocations and Development Policies Document - Issues Paper (consultation ends 5pm on 10 April 2017);
- Call for Sites (consultation ends 5pm on 10 April 2017); and

Appendix 2: Notification Letter and Email

Letter sent 24 February 2017 to 3,971 recipients:



**Cheshire East
Council**

«AddressBlock»

Spatial Planning
Westfields, C/O Municipal Buildings
Earle Street
Crewe, Cheshire
CW1 2BJ
Tel: 01270 685893
Email: localplan@cheshireeast.gov.uk

Our ref: Consult/«Person_ID»

Date: 24 February 2017

«GreetingLine»

Consultation on the Local Plan Site Allocations and Development Policies Document, and the Community Infrastructure Levy.

You have received this letter as you have previously responded to a Local Plan consultation or you have asked to be kept informed of future Local Plan consultations.

The Council is committed to putting a comprehensive set of up-to-date planning policies in place to guide development, support infrastructure delivery and protect important environmental and historic features. This will support our ambition to make the Borough an even better place to live, work and visit.

The Local Plan Strategy (first part of the new Local Plan) is nearing the end of its examination process and consultation is currently underway on Local Plan Strategy proposed changes (Main Modifications) until **5:00pm on Monday 20 March 2017**.

We have now started work on the second, more detailed part of the Local Plan and a number of documents are published for public consultation from Monday 27 February to 5:00pm on Monday 10 April 2017:

- Site Allocations and Development Policies Document: Issues Paper;
- Community Infrastructure Levy: Preliminary Draft Charging Schedule;
- Draft Sustainability Appraisal Scoping Report; and
- Call for Sites.

The consultation documents and comments forms are available on the Council's website at www.cheshireeast.gov.uk/localplan and in Cheshire East customer service centres and libraries. Responses should be returned to localplan@cheshireeast.gov.uk or by post to Cheshire East Council, Spatial Planning, Westfields, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ by **5:00pm on Monday 10 April 2017**.

A brief explanation of each of the consultation documents is set out overleaf.

Further information can be obtained by telephone on 01270 685893, from the Council's website www.cheshireeast.gov.uk/localplan, by email to localplan@cheshireeast.gov.uk.

Yours sincerely



Adrian Fisher
Head of Planning Strategy

All other enquiries 0300 123 5500 www.cheshireeast.gov.uk

Site Allocations and Development Policies Document: Issues Paper

The Local Plan Strategy will be the first part of the new Local Plan and this Site Allocations and Development Policies Document (SADPD) will form the second part. It will:

- Allocate additional sites for development to make sure that the overall development requirements set out in the Local Plan Strategy are met. These will generally be 'non-strategic' sites, less than 5 ha in size (or 150 homes), for housing, employment, retail, leisure and other types of development.
- Set more detailed policies to guide decisions on planning applications in the Borough. Land that needs particular protection will be designated, for example because of its importance to wildlife or the historic environment.

The issues paper is the first consultation in the preparation of this document and it identifies a range of matters that the SADPD is likely to address. The consultation seeks your views on these matters and there is an opportunity to tell us if there are any other matters you think the document should cover.

Community Infrastructure Levy: Preliminary Draft Charging Schedule

The Community Infrastructure Levy (CIL) is a planning charge that can be used to support the development of the local area. It allows local authorities to raise funds from developers of new building projects. The money can be used to help fund a wide range of infrastructure that is needed as a result of development.

CIL is charged as a fixed rate per square metre of new floor space. The rate is set by local authorities in consultation with local communities and developers, and is tested through an independent examination.

Cheshire East Council intends to introduce a CIL Charging Schedule for new development. We have prepared evidence related to the viability of introducing a charge, a list of potential infrastructure projects to be funded and a preliminary draft charging schedule, which is now the subject of consultation.

Draft Sustainability Appraisal Scoping Report

Sustainability Appraisal (SA) informs production of plans and is a process to assess the social, environmental and economic impacts of a plan. It is required under the Planning and Compulsory Purchase Act 2004 and the Environmental Assessment of Plans and Programmes Regulations 2004.

The purpose of a SA Scoping Report is to set out the social, environmental and economic issues to be considered and identify the scope and methodology for carrying out the Sustainability Appraisal of plans. A previous SA Scoping Report was produced in June 2012, which informed the Sustainability Appraisal for the Local Plan Strategy.

The purpose of this new SA Scoping Report is to make sure the issues previously identified are up to date and to identify the scope and methodology for the Sustainability Appraisals of the Site Allocations and Development Policies Document, and the future Minerals and Waste Development Plan Document.

Call for Sites

The Council is updating its land availability assessments which will help to inform any further land allocations for development that are made through the Site Allocations and Development Policies Document. In addition, the Council will publish a 'Brownfield Register' of previously developed sites that are assessed as being suitable for housing development. There may also be a future requirement to produce a 'Small Sites Register' to support development on smaller sites and make it easier for interested parties to identify sites for self-build and custom housing.

As a result, the Council invites local residents, landowners, developers and other parties to put forward sites they consider to be suitable and available for future development in the Borough. These can be for housing, commercial, employment or other types of development, but not for minerals and waste uses as these will be invited via a separate call for minerals and waste sites later in 2017.

Local Plan Strategy: Main Modifications

The Local Plan Strategy (LPS) is the first part of the new Cheshire East Local Plan. It sets strategic priorities for the development of the area, along with planning policies and development sites to guide development up to 2030. The LPS is at an advanced stage of production and this consultation seeks views on the changes required before the plan can be adopted in its final form.

The Inspector will consider all duly-made representations before publishing his final report into the legal compliance and soundness of the Cheshire East Local Plan Strategy. Please note that the Local Plan Strategy Consultation ends at 5:00pm on Monday 20 March.

Email sent 27 Feb 2017 to 11,270 recipients (including a consultation guidance note)

From: LOCAL PLAN
To: LOCAL PLAN
Cc:
Subject: Consultation on Cheshire East Local Plan Site Allocations and Development Policies Document, and the Community Infrastructure Levy
Message Consultation Guidance Note.pdf (112 KB)

To whom it may concern,

You have received this email as you have previously responded to a Local Plan consultation or you have asked to be kept informed of future Local Plan consultations.

The Council is committed to putting a comprehensive set of up-to-date planning policies in place to guide development, support infrastructure delivery and protect important environmental and historic features. This will support our ambition to make the Borough an even better place to live, work and visit.

The Local Plan Strategy (first part of the new Local Plan) is nearing the end of its examination process and consultation is currently underway on Local Plan Strategy proposed changes (Main Modifications) until 5:00pm on **Monday 20 March 2017**.

We have now started work on the second, more detailed part of the Local Plan and a number of documents are published for public consultation from Monday 27 February to 5:00pm on Monday 10 April 2017:

- Site Allocations and Development Policies Document: Issues Paper;
- Community Infrastructure Levy: Preliminary Draft Charging Schedule;
- Draft Sustainability Appraisal Scoping Report; and
- Call for Sites.

The consultation documents and comments forms are available on the Council's website at www.cheshireeast.gov.uk/localplan and in Cheshire East [customer service centres](#) and [libraries](#). Responses should be returned to localplan@cheshireeast.gov.uk or by post to Cheshire East Council, Spatial Planning, Westfields, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ by **5:00pm on Monday 10 April 2017**.

Information on each of the consultation documents is provided in the attached 'Consultation Guidance Note'.

Further information can be obtained from the Council's website www.cheshireeast.gov.uk/localplan, by email to localplan@cheshireeast.gov.uk or by telephone on 01270 685893.

Yours faithfully,

Adrian Fisher
Head of Planning Strategy
Cheshire East Council

Appendix 3: Screen Shots from the Council Website

Home Page (www.cheshireeast.gov.uk):

The screenshot shows the Cheshire East Council website home page. At the top, there is a green header with the council logo on the left, a search bar in the center, and a link to the 'A to Z site Index' on the right. Below the header is a navigation menu titled 'I want to find...' with a grid of 18 categories, each with a right-pointing arrow. The categories include: Jobs at the Council, Payments to the Council, Bins and recycling, Planning and planning applications, Bus timetables and travel information, Schools and education, Council and democracy, Library books to renew or reserve, Council Tax, Benefits entitlements, Business and Business Rates, Roadworks and highway services, Housing, Leisure and culture, Children and families, Adults care and support, Car parks and parking, Births, marriages and deaths, Rangers and outdoor recreation, and Environment. Below the navigation menu are two main content areas: 'In Focus' and 'News'. The 'In Focus' section features a large green banner for 'Local plan consultation' with a 'Local plan strategy - main modifications' link. The 'News' section lists five news items with dates from 14/03/2017 to 16/03/2017, including 'Civcance snaps up national award for its service to home buyers' and 'Council joins hands for Child Sexual Exploitation (CSE) awareness day'. Below the news is a 'Public Notices | Media Hub >>' link. Further down is a 'Have your say' section with a 'Consultations' sub-section listing various public consultations, such as 'Boundary Review North West region' and 'Local Plan Site Allocations and Development Policies Document: Issues Paper'. To the right of the consultations is an image of a high-speed train with the caption 'HS2 Proposals In Cheshire East' and a 'More consultations >>' link. Below the consultations is a 'Planning applications' section with a link to 'Comment on a current planning application'. At the bottom of the page are three sections: 'Contact' with links to 'Contact the council' and 'Find your local councillor'; 'Social media' with icons for Twitter, Facebook, YouTube, Google+, and LinkedIn, and a link to 'Other social media channels'; and 'Concerned about...' with links for 'Concerned about children?' and 'Concerned about adult abuse?'. The footer contains links for 'Help and accessibility' and 'Website information, privacy and cookies'.

Local Plan page (www.cheshireeast.gov.uk/localplan):



Enter Keywords

[A to Z site Index](#)
 Search

[Home](#) / [Planning](#) / [Spatial Planning](#) / Cheshire East Local Plan

Cheshire East Local Plan



The Local Plan sets planning policies and allocates sites for development. It is the Statutory Development Plan for Cheshire East and is the basis for deciding planning applications. This page contains information on the new Local Plan for Cheshire East, which is currently being prepared and will guide development up to 2030.

Prior to the adoption of documents in the new Local Plan, the [Saved Policies](#) from previous Local Plans will continue to be used.

Our [Spatial Planning Update](#) provides a regular bulletin on planning policy matters affecting Cheshire East.

Consultation Update:

Work is in progress on a number of new planning documents to set out planning policies in the Borough and there are a number of different consultations taking place in the early part of 2017. Current consultations are:

- [Local Plan Strategy: Proposed Main Modifications](#)
Monday 6 February 2017 - 5:00pm Monday 20 March
- [Site Allocations and Development Policies Document: Issues Paper](#)
Monday 27 February - 5:00pm Monday 10 April
- [Call for Sites](#)
Monday 27 February - 5:00pm Monday 10 April
- [Community Infrastructure Levy: Preliminary Draft Charging Schedule](#)
Monday 27 February - Monday 10 April
- [Draft Sustainability Appraisal Scoping Report](#)
Monday 27 February - Monday 10 April

Further information on each of the consultations is provided in our [Consultation Guidance Note \(PDF, 140 KB\)](#).

New Local Plan for Cheshire East

The new Local Plan will cover a range of matters including the number and location of new homes; the amount and location of employment land; protection and improvement of important open areas and provision of new ones; provision of new infrastructure and improvement of town centres and community facilities in the Borough.

The Local Plan Strategy is the first, strategic part of the new Local Plan and was submitted to the Secretary of State for Communities and Local Government on 20th May 2014. It is currently undergoing an independent examination to determine whether it is sound and legally compliant.

There have been three rounds of examination hearing sessions in 2014, 2015 and 2016, with consultation on the Council's proposed changes to the Submitted Local Plan Strategy in March and April 2016. The Inspector is currently considering all the issues raised through the examination.

For further information on the progress of the examination, please see the [Examination Page](#).

Local Plan documents

The new Local Plan will consist of three key documents:

1. The [Local Plan Strategy](#);
2. The [Site Allocations and Development Policies](#) document; and
3. The [Minerals and Waste Development Plan](#) Document.

The new Local Plan will be supported by an Adopted Policies Map which will show sites, policies and environmental / heritage designations on an Ordnance Survey map. It will also be accompanied by an Infrastructure Delivery Plan which will set out future infrastructure needs and how these will be provided.

Further information on each part of the new Local Plan and its various supporting documents is shown in the table:

| Item | Description |
|-------------------------------------|---|
| Local Plan Strategy | The Local Plan Strategy is the centrepiece of the Local Plan, setting out strategic priorities for the development of the area along with planning policies and proposals. The Local Plan Strategy was submitted to the Secretary of State on 20th May 2014 and is currently undergoing an independent examination. For further information on the progress of the examination, please see the Examination Page . The Consultation on Local Plan Strategy Main Modifications (Consultation Portal) runs until 5pm on 20 March 2017. |

In this section

- [Authority Monitoring Report](#) >
- [Cheshire East Local Plan](#)
- [Cheshire East Local Plan Strategy Submission Version](#) >
- [About the community Infrastructure levy](#) >
- [Local Development Scheme](#) >
- [Local Plan Consultation Portal](#) >
- [Local Plan Consultations](#) >
- [Local Plan Strategy - Proposed Main Modifications](#) >
- [Local Plan Strategy Development Plan Document](#) >
- [Site Allocations and Development Policies Document](#) >
- [Statement of Community Involvement 2010](#) >
- [Supplementary Planning Documents](#) >

Contact us

[Email Local Planning Team](#)

01270 685893

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Appendix 4: Press Release dated 22 February 2017.

Council launches consultation on levy to boost development infrastructure

February 22, 2017

Cheshire East Council has launched a consultation on a proposed planning levy to help fund new community facilities and infrastructure to support local development.

The new Community Infrastructure Levy (CIL) would be payable once new developments start construction and is calculated per square metre of eligible floor space.

The CIL would complement the long-established system of section 106 agreements, whereby developers are required to help fund developments' supporting infrastructure, such as roads, schools and medical facilities.

Councillor Ainsley Arnold, Cheshire East Council cabinet member for housing and planning, said: "Our borough is growing and we want to ensure that sufficient funding is in place to pay for new community facilities the roads, schools and recreational spaces that residents will need in future.

"The Community Infrastructure Levy provides a fair and consistent method of funding, especially for large, strategic projects. As this is a new venture for the council, we are keen to engage with all stakeholders with an interest in new developments to ensure we set the right rates for the different parts of our borough."

The CIL consultation sets out the various charging rates that would apply for new development, alongside different charging zones throughout the borough. These zones are based on the costs and viability of new development rather than the cost of new infrastructure.

The draft charging schedule divides Cheshire East into five charging zones for residential development – ranging from a zero rate in many built-up areas through to £168 (per square metre) in property 'hot spots'.

Business development and new shops will be zero rated, apart from developments in the prime retail areas of Handforth Dean and the Grand Junction Retail Park, in Crewe.

The consultation runs for six weeks from Monday, 27 February until 10 April 2017. Full details can be found via the [council's website](#).

Once the consultation feedback has been collated, a final decision on the levy will be taken at a cabinet meeting.



Appendix 5: Statement of Representations Procedure

Community Infrastructure Levy Regulations 2010 (As Amended)



Statement of Representations Procedure: Consultation on Preliminary Draft Charging Schedule

Subject Matter: Comments are invited on the Cheshire East Council Community Infrastructure Levy Preliminary Draft Charging Schedule. The Community Infrastructure Levy (CIL) is a system of planning charges that Local Authorities can levy on new buildings projects, in order to fund infrastructure. Cheshire East Council has produced a Preliminary Draft Charging Schedule for consultation as a first step in setting a future CIL levy. It sets out initial proposals for the amount to be charged and the geographic extent of the proposed charge. It also includes the associated Regulation 123 list, which identifies the infrastructure projects / types that CIL receipts could potentially be spent on.

Area Covered: Whole of Cheshire East Borough, excluding the part within the Peak District National Park.

Representation Period: A six week period from Monday 27 February 2017 to 5:00pm on Monday 10 April 2017. To be valid, all comments must be submitted within this period and received by the Council at Westfields, Middlewich Road, Sandbach CW11 1HZ by 5:00pm on Monday 10 April 2017. Comments received after this deadline and anonymous representations will not be considered.

Comments: Can be made electronically on the Council's consultation portal, accessed from its website www.cheshireeast.gov.uk/localplan or in writing on a comments form available from the locations listed below. Comment forms must be returned to: Cheshire East Council, Spatial Planning, Westfields, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ by 5:00pm on Monday 10 April 2017.

Further notification: Comments may be accompanied by a request to be notified at a specified address regarding the future publication of the CIL Draft Charging Schedule.

Location of Documents for Inspection – Preliminary Draft Charging Schedule. The Preliminary Draft Charging Schedule consultation document (including the initial draft Regulation 123 list) and viability assessment is available for inspection at the locations below. Comment forms can also be obtained from these locations:

- Cheshire East Council Website: www.cheshireeast.gov.uk/localplan
- Crewe Customer Service Centre, Delamere House, Delamere Street, Crewe CW1 2JZ (Mon, Wed, Thu, Fri 8:45am - 5:00pm; Tue 8:45am - 4:00pm);
- Macclesfield Customer Service Centre, Town Hall, Market Place, Macclesfield SK10 1EA (Mon - Fri 8:45am - 5:00pm)
- Municipal Buildings, Earle Street, Crewe CW1 2BJ (Mon - Fri 9:00am - 5:00pm)
- Westfields, Middlewich Road, Sandbach CW11 1HZ (Mon - Fri 9:00am - 5:00pm)
- All public libraries in Cheshire East (locations and opening times can be obtained by telephoning 0300 123 5018 or online at http://www.cheshireeast.gov.uk/libraries/libraries_opening_hours.aspx)

Further information and paper copies of all documents can be requested from the Spatial Planning Team by email cil@cheshireeast.gov.uk or telephone 01270 685893. Please note that a reasonable charge will be made to cover printing and postage costs.

Appendix 6: E-mail to Town and Parish Council's – 21 February 2017

| | | |
|------|-----------|--|
| Send | From | LOCAL PLAN |
| | To... | |
| | Cc... | |
| | Bcc... | |
| | Subject: | FW: SPATIAL PLANNING UPDATE - FEBRUARY 2017 |
| | Attached: | Consultation Guidance Note.pdf (144 KB); CIL Formal Notice.pdf (156 KB); CIL Preliminary Draft Charging Schedule.pdf (8 MB); Spatial Planning Update February 2017 TandPCs (2).pdf (398 KB) |

From: LOCAL PLAN
Sent: 21-Feb-2017 17:15
To: Town and Parish Councils
Subject: SPATIAL PLANNING UPDATE - FEBRUARY 2017

Dear Sir/Madam

Please find attached, the second edition of our monthly Spatial Planning Update for Town and Parish Councils. It is one of the ways that we intend to keep local councils in touch with planning policy matters affecting the Borough.

Public consultations on the Site Allocations and Development Policies Document (SADPD) (the second part of the Local Plan) and the Community Infrastructure Levy (CIL) will commence on Monday 27 February 2017 until 5.00 pm on 10 April 2017. Please find attached, a copy of the guidance note which will accompany the public consultations along with a copy of the CIL Preliminary Draft Charging Schedule and CIL Formal Notice.

We will need to work closely with Town and Parish Councils in developing the SADPD. With this in mind, members of the Spatial Planning team will be available to meet with Town and Parish Council representatives each Wednesday during the consultation period on the following dates and times -

| | |
|---------------|----------------------------|
| 1 March 2017 | Westfields, Sandbach |
| 8 March 2017 | Municipal Buildings, Crewe |
| 15 March 2017 | Macclesfield Town Hall |
| 22 March 2017 | Westfields, Sandbach |
| 29 March 2017 | Municipal Buildings, Crewe |
| 5 April 2017 | Macclesfield Town Hall |

| | | | | | |
|---------------|---------------|-------------|-------------|-------------|-------------|
| 10 00 – 11 00 | 11 30 – 12 30 | 1 30 – 2 30 | 3 00 – 4 00 | 4 30 – 5 30 | 6 00 – 7 00 |
|---------------|---------------|-------------|-------------|-------------|-------------|

We expect there will be a quick take-up of these meetings so please e-mail the Spatial Planning team at localplan@cheshireeast.gov.uk as soon as possible to book your place if you would like to have a meeting. Please let us have a first and second preference and we would suggest that up to 4 representatives attend on behalf of each local council. Of course, this invitation to meet is being extended to all local councils, but we would particularly like to meet those covering our Principal Towns, Key Service Centres and Local Service Centres and others preparing Neighbourhood Plans.

This year we look forward to seeing the adoption of the Local Plan Strategy and progress on the remaining parts of the Local Plan, namely the Minerals and Waste Development Policies Document (the third part of the Local Plan).

Appendix 7: E-mail to adjacent Local Planning Authorities 27 February 2017

From: Community Infrastructure Levy East
To: Community Infrastructure Levy East
Sent: Mon 27/02/2017 10:32
Cc:
Subject: Preliminary Draft Charging Schedule Consultation - until Monday 10 April 2017
Message  Consultation Guidance Note.pdf (112 KB)  CL Formal Notice.pdf (156 KB)  CL Preliminary Draft Charging Schedule.pdf (8 MB)

To whom it may concern,

Please find attached information on the Council's public consultation on the Community Infrastructure Levy – Preliminary Draft Charging Schedule Consultation. The consultation runs until 5pm on Monday 10 April 2017.

Further information can be obtained from the Council's website www.cheshireeast.gov.uk/localplan, by email to cil@cheshireeast.gov.uk or by telephone on 01270 685893.

Yours faithfully,

Adrian Fisher
Head of Planning Strategy
Cheshire East Council

Appendix 8: Article on CIL in Partnerships Newsletter

Consultations

Council launches consultation on levy to boost development infrastructure

Cheshire East Council has launched a consultation on a proposed planning levy to help fund new community facilities and infrastructure to support local development. The new Community Infrastructure Levy (CIL) would be payable once new developments start construction and is calculated per square metre of eligible floor space. CIL would complement the long-established system of section 106 agreements, whereby developers are required to help fund developments' supporting infrastructure, such as roads, schools and medical facilities. The preliminary draft charging schedule divides Cheshire East into five charging zones for residential development, ranging from a zero rate in many built-up areas through to £168 per square metre in property 'hot spots'. Business development and new shops are proposed as zero rated, apart from developments in the retail areas of Handforth Dean and the Grand Junction Retail Park, in Crewe.

The consultation on the Council's initial proposals on CIL runs for six weeks until 10th April 2017.

[Further information can be obtained from the Council's website](#), by [email](#) or by phone on 01270 685893

Partnerships for Action in **Cheshire East**

Page 14

Appendix 9: Letter sent to Local Plan Strategy site promoters



Our ref: AF/ CIL
Date: 03 March 2017

Planning & Sustainable Development
First Floor, Westfields
c/o Municipal Buildings
Earle Street
CREWE
CW1 2BJ
Tel: 01270 685893
localplan@cheshireeast.gov.uk
CIL@cheshireeast.gov.uk
www.cheshireeast.gov.uk

Dear Sir / Madam

Consultation on the Community Infrastructure Levy, Local Plan Site Allocations and Development Policies Document and Implementation of Local Plan Strategy Sites

I am writing to you as a promoter or developer of a site allocated within the Local Plan Strategy.

As you may be aware we have now also started work on the second, more detailed part of the Local Plan and a future Community Infrastructure Levy ("CIL") for the Borough.

The Council and its consultants Keppie Massie have prepared a Preliminary Draft Charging Schedule as its 'starting position' regards the implementation of a future CIL Charging Schedule for the Borough. The supporting viability report from Keppie Massie comprises a broad area based financial viability assessment that has been prepared to assess the level of CIL that could be supported within Cheshire East.

The Preliminary Draft Charging Schedule consultation is the start of a 'conversation' on a future CIL Charge in the Borough. The Council is anticipating to receive through the consultation 'appropriate and available' evidence to test the initial position set out in the document, to ensure the most appropriate and robust draft CIL Charging position is achieved.

The Council and its consultants note the importance of Paragraph 19 (reference ID 25 - 019) of the Planning Practice Guidance on CIL and the need for ongoing viability testing of a selection of strategic sites to supplement existing data. We would therefore welcome early and ongoing engagement with site promoters regarding sites contained within the emerging LPS and the submission of 'appropriate and available' evidence during the consultation on CIL that the Council and its consultants can use to support a robust future CIL Charging Position.

I encourage you to respond to the formal consultation, but should you wish to discuss matters relating to a future CIL Charge in Cheshire East in more detail, please come back to me or a member of the Spatial Planning team, using the contact details above.

The consultation on CIL forms part of a number of documents which are published for public consultation until 5:00pm on Monday 10 April 2017, these include:

- Site Allocations and Development Policies Document: Issues Paper;
- Community Infrastructure Levy ("CIL"): Preliminary Draft Charging Schedule;
- Draft Sustainability Appraisal Scoping Report; and
- Call for Sites.

In addition, the consultation is currently underway on Local Plan Strategy proposed changes (Main Modifications) until 5:00pm on Monday 20 March 2017.

All the consultation documents and comments forms are available on the Council's website at www.cheshireeast.gov.uk/localplan.

Meantime, as the LPS moves closer towards adoption the Council is now concerned with ensuring that the key provisions of the Plan are implemented as anticipated – and this includes the timely delivery of the main strategic sites.

With this in mind, we welcome ongoing dialogue with LPS site promoters including any regular update(s) of progress regarding site delivery and early sight of any barriers to delivery that the Council can advise upon. We would be keen to try and overcome any physical, technical or procedural difficulties that may be encountered. Please contact me or a member of the Spatial Planning team, using the contact details above, should you wish to discuss matters relating to LPS site delivery further.

For any sites that are already progressing well, the Council also offers a comprehensive [pre-application service](#) and advice on a variety of technical issues through our partner company [Civance](#).

I look forward to continuing dialogue on these matters.

Yours sincerely

Appendix 10 Letter of the 4 May 2017 to LPS Site Promotors



Our ref: AF/ CIL LPS
Date: 4 May 2017

Planning & Sustainable Development
First Floor, Westfields
c/o Municipal Buildings
Earle Street
CREWE
CW1 2BJ
Tel: 01270 685893
localplan@cheshireeast.gov.uk
CIL@cheshireeast.gov.uk
www.cheshireeast.gov.uk

Dear Sir/Madam

Community Infrastructure Levy and Local Plan Strategy Sites

I am writing to you as a promoter or developer of a site allocated within the Local Plan Strategy.

As you are aware, we have now started work on a future Community Infrastructure Levy ("CIL") for the Borough. The Council and its consultants Keppie Massie have prepared and consulted upon a Preliminary Draft Charging Schedule as its 'starting position' regards a future CIL charging schedule for the Borough.

I wrote to you on the 3 March 2017 with information regarding the consultation on the Preliminary Draft Charging Schedule and encouraged Local Plan Strategy site promotors to engage with the Council through the consultation.

Following initial consideration of the comments received and in recognition of paragraph 19 (reference ID 25 -019) of the Planning Practice Guidance on CIL and the need for ongoing viability testing of a selection of strategic sites to supplement existing data, the Council and its consultants Keppie Massie would like to provide a further discrete opportunity for Local Plan Strategy site promotors to **submit any further 'appropriate and available' evidence that you would like the Council and its consultants to take into account at this stage.**

Please submit any further 'appropriate and available' information to CIL@cheshireeast.gov.uk by **Wednesday 17 May 2017**.

We will then use the information submitted alongside the evidence received during the consultation on the Preliminary Draft Charging Schedule to come to a view on the Council's CIL position, at Draft Charging Schedule stage, on Strategic Sites in the Local Plan Strategy.

We welcome your ongoing support in achieving a robust CIL position in Cheshire East.

Yours sincerely

Appendix 11 – Spatial Planning Update (March 2017)

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a charge that the Council can make on certain new developments to raise funds to invest in infrastructure in the Borough. Six weeks of public consultation commenced on 27 February inviting views on the council's Preliminary Draft Charging Schedule (PDCS) and is due to run until Monday 10 April 2017. It sets out draft charging rates on new development across the borough. The Council's viability evidence justifying the draft charging rates has been published alongside the PDCS, as will a draft 'Regulation 123 list' which indicates the infrastructure projects and infrastructure types that the Council currently considers should be contributed towards from CIL receipts rather than through Section 106 contributions. The papers can be found at www.cheshireeast.gov.uk/localplan

A Draft Charging Schedule, similarly accompanied by viability evidence and also a final draft Regulation 123 list will be published for a further round of public consultation for six weeks later this year. These versions of the documents will reflect any changes needed in the light of earlier consultation feedback. After this second round of consultation, the charging schedule will then be finalised and submitted for examination by an independent Inspector. It is envisaged that the CIL could be adopted and operational early in 2018.

Annex 1 : Summary of Comments Received and Council's Response

| 1) Do you agree with the assumptions and methodology used in the Keppie Massie Preliminary Draft Charging Schedule Viability Assessment? | | |
|--|--|--|
| Name / Organisation | Summary of key Issue Raised | Council's Response |
| Karen Tomlinson (PSCS22) | <ul style="list-style-type: none"> • KM report does not take account of differences between communities. • Development puts pressure on existing infrastructure and amenities in Disley • CIL rates for Disley should be on par with Poynton, Alderley Edge and Wilmslow | CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie draft charging schedule viability report. |
| Savills on behalf of Triton Property Fund (PDCS 48) | <ul style="list-style-type: none"> • Owner of Grand Junction Retail Park in Crewe. • The £66 per sqm proposed CIL charge for retail use is too high and will have unintended consequences. • Evidence is too high level and not robust • Evidence should take account of demographics as they impact indirectly on factors such as rental levels • Impact of the UK leaving the EU • Yield information varies between 4.7% and 15.6% with a limited number of examples. • Rental information used is from two smaller units over 3.5 years ago and not reflective of rental tone. • Question regarding the commercial land values used in para 5.26 of the KM report | <p>The retail charging levels, proposed in the draft charging schedule, have struck an appropriate balance between additional investment to support development and the potential effect on the viability of developments. Consultants Keppie Massie have considered the comments made in this representation in producing the draft charging schedule viability report.</p> <p>The proposed CIL rates are not set to a maximum to allow for a viability buffer—in accordance with the Government's CIL NPPG (paragraph 20). The proposed CIL rates as set out in the Draft Charging Schedule are considered to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact on the viability of development.</p> |
| Indigo Planning on behalf of Morris Homes (PDCS 47) | <ul style="list-style-type: none"> • Our client is promoting a small scale residential development at the edge of Handforth for approximately 20 dwellings through the council's Call for Sites exercise. • It is a brownfield site. If Zone 5 CIL rate is applied, it could render this site unviable for residential development. Council should realign its boundary, so that the site is removed from Zone 5 and included within the Zone 1 area (ie.Handforth Settlement). • Reference to PPG and setting CIL charges at the margin of economic viability | <p>The submission does not include any appropriate and available evidence regarding the viability position of the site. No additional viability evidence has been provided as part of the representation as to what the appropriate level of CIL or viability buffer should be for this zone.</p> <p>The proposed CIL rates are not set to a maximum to allow for a viability buffer—in accordance with the Government's CIL NPPG (paragraph 20). The proposed CIL rates, in the draft charging schedule are considered to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact on the viability of development.</p> |

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| <p>Barton Willmore on behalf of Trafford Housing Trust (PDCS60)</p> | <ul style="list-style-type: none"> • CIL must be sufficiently flexible to protect the viability of development types that come forward across the Borough. • Welcomes use of a differential CIL rate across the Borough. • Concerned with the CIL rate proposed for Zones 4 and 5 and considers that they will harm the deliverability of sites. • Little regard in the viability assessment has been made regarding the time taken to delivery residential development which will impact on cost (loan interest etc) and profits (staggered sales) • Impact of UK’s future relationship with the EU should be noted and appraised in the report | <p>The proposed CIL rates as set out in the Draft Charging Schedule are considered to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact on the viability of development.</p> <p>The viability assessment considers a great number of variables and has been informed by appropriate available evidence across the area. An appropriate range and types of sites have been sampled across the charging area, to supplement existing data. The proposed CIL rates are not set to a maximum to allow for a viability buffer– in accordance with the Government’s CIL NPPG (paragraph 20).</p> |
| <p>Indigo Planning on behalf of Seddon Homes (PSCS46)</p> | <ul style="list-style-type: none"> • Objects to the fact that the DVS does not assess strategic sites in the emerging LPS • BCIS Data – no clear explanation of why typical BCIS data has been used rather than an understanding of the true cost of development • North Congleton – discrepancies between the work undertaken by KM and the work undertaken to support the LPS • There is little evidence to support the creation of Zones 4 and 5 (greenfield areas). The Draft Viability Appraisal provides general comments on the viability of greenfield development but does not suggest that charging zones should then be created for all ‘greenfield areas’. • This ‘broad brush’ approach to all greenfield areas fails to acknowledge that many greenfield sites are located within Low and Medium Value areas (as defined in the Draft Viability Appraisal). • The Draft Charging Schedule does not acknowledge development on brownfield sites, even though the Draft Viability Appraisal accepts that in many areas brownfield development remains unviable. SHL request that development on brownfield sites has a £0 CIL rate. | <p>The viability report by Keppie Massie to support the Draft Charging Schedule has undertaken an appraisal of a selection of Local Plan Strategy strategic sites alongside an assessment of typologies in the Borough. This includes a number of sites within the North Congleton area.</p> <p>Keppie Massie has considered all the comments made within this representation within the Draft Charging Schedule viability report and has clearly set out its evidence with regard the cost data employed by the consultants.</p> |

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| <p>Audlem Parish Council – Kirstin Dixon (PDCS25)</p> | <ul style="list-style-type: none"> • Audlem Parish Council does not agree with the assumption that all new development within the areas listed in Zone 1 will be on brownfield sites. | <p>CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie draft charging schedule viability report</p> |
| <p>Mosaic Town Planning on behalf of Persimmon Homes (PDCS54)</p> | <ul style="list-style-type: none"> • Persimmon Homes, is party to representations submitted by Savills (PCDS 51). Persimmon are in full agreement with the points made by Savills and rely upon these for its primary representation: • Definition of CIL value areas – unclear why they differ from the PDCS • Threshold Land Value – concern regarding the methodology and assumptions used • Viability buffer – 50% buffer should be used. • Open market sales values – no evidence provided for Poynton • Affordable Housing – Registered Providers are renegotiating S.106 packages • Development costs - We would suggest that the most recent BCIS data for estate housing is adopted, accepting that the median rate is a fair average. • Site opening costs – should reflect the Harman Report of a range of £17,000 - £23,000 per dwelling is appropriate for large sites. Urge that WYG review this assumption and adopt a more appropriate rate of £20,000 per dwelling plus for sites of more than 250 units. • Professional fees – 8-12% range should be adopted and reflective of actual costs • Developer’s Profit - advocate that a minimum allowance of 20% - 25% on GDV (blended) is modelled for larger sites. Savills have produced research on this subject which is attached to this letter. • Affordable Housing Contributions - request more evidence to support the split of 2 and 3 bed properties. • Sales and Marketing Costs - It is our experience that rates of between 3 and 5% are appropriate depending on the scale | <p>Keppie Massie has considered all the comments within this representation in the draft charging schedule viability report and has updated assumptions, where appropriate.</p> <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> <p>The viability report by Keppie Massie to support the Draft Charging Schedule has undertaken an appraisal of a selection of Local Plan Strategy strategic sites alongside an assessment of typologies in the Borough. The viability work also takes account of changing market conditions since the earlier evidence base was collated.</p> <p>Evidence on S.106 agreements over the last three years has been provided in the S.106 and CIL position statement.</p> |

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| | <p>and type of development proposed. As such we would prefer to see 4% as a mid range assumption if the same rate is going to be applied to all sites.</p> <ul style="list-style-type: none"> • S106/S278 contributions - on top of the affordable housing mentioned above, a rate of £4,000 per dwelling for S106/S278 contributions is applied. Evidence should be provided over 3 years. • Viability Results - there is a concern that the surpluses and deficits shown in the development appraisals are not reflected in the tables in section 6 of the report. | |
| <p>Hourigan Connolly on behalf of Anwyl Land, Co- operative Estates, Gladman Developments, Richborough Estates, Stewart Milne Homes and Story Homes (PDCS 55)</p> | <ul style="list-style-type: none"> • No analysis of strategic sites over 1,000 dwellings. • The PDCS has adopted a zoning system which designates on the basis of Zones 1-5. As opposed to zoning sites on a brownfield/greenfield differential basis as reflected in the viability report. No explanation has been supplied as to why the Council has disregarded the evidence base in this respect. <p>In respect of appraisal inputs:</p> <ul style="list-style-type: none"> • Benchmark land values – benchmark land values are too low • Open Market Values – overestimation of achieved land values • Affordable housing values – agree in principle • Densities – agree in principle but consider specific regard should be had to different size sites where densities fluctuate • Open Market Housing – agree in principle • Net Development Area - ratios underestimate the extent of ‘non-developable’ land, particularly at the larger end of the scale • Stamp Duty / sales timescales – agree in principle • Build costs – BCIS composite rates do not take into account sufficient abnormal development costs • Professional fees – 6% allowance sufficient for 50-100 unit schemes | <p>Keppie Massie has considered all the comments within this representation in the draft charging schedule viability report and has updated assumptions, where appropriate.</p> <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> <p>The viability work also takes account of changing market conditions since the earlier evidence base was collated and the outcomes of testing a selection of the Local Plan Strategy strategic sites.</p> <p>Evidence on S.106 agreements over the last three years has been provided in the S016 and CIL position statement.</p> |

| | | |
|--|--|--|
| | <ul style="list-style-type: none"> • S.106 – approach to determining S.106 costs is flawed • Developers Profit – 2-% should be benchmark for large and small schemes • Debit rate – agree in principle but note that smaller sites are likely to be funded through secondary lending routes. • Marketing costs – agree in principle. • Land values – dated transactional evidence on land and should reflect land price inflation • Land values and comparable evidence is not sufficiently spread across the value areas. The approach adopted does not take into account the reluctance of landowners to sell for anything other than a price which is as close to full residential value as possible. Landowners will often play ‘the long game’. • Open market sales values - We have grave misgivings about the accuracy of the sales data provided • Affordable housing values - We are in general agreement with the discount to open market value that has been assumed by KM in their analysis. • Densities - We consider that the density differentiation between brownfield and greenfield is not justified. • Net Developable Area - KM have adopted conversion rates from gross land area to net developable land area subject to the size of site. Whilst we agree with the general approach outlined we question the ratios adopted in respect of the larger sites. • Build Costs - We consider the combination of the opening-up costs and decontamination allowance to be inadequate to cover the potential additional costs of development. • Professional fees, a higher figure has been adopted for schemes over 50 units, and whilst we agree that volume housebuilders incur lower professional fees owing to them having their own in-house teams, we believe the threshold should be higher at around 100 units. • Section 106 / Section 278 - The approach used to determine an appropriate level of Section 106 contribution on a per unit basis is flawed. Each site and its circumstances are different | |
|--|--|--|

| | | |
|---|---|--|
| | <p>and applying an average has its own issues.</p> <ul style="list-style-type: none"> • Developers Profit - We agree that a 20% profit on GDV is appropriate for typical residential projects but do not accept that a lower level of profit should apply to schemes of 5-10 units. • Finance Costs - An overall figure of 7% has been adopted by KM. Whilst we believe that this is generally appropriate, for schemes up to 50 units and possibly up to 100 units, developers will be sourcing finance from more expensive lenders and under such circumstances a figure of between 10% and 12% should be recognised. | |
| Liz Osborn, Poynton Town Council (PDCS 38) | <ul style="list-style-type: none"> • One fundamental problem in many cases is that development cannot commence until the necessary infrastructure is delivered. It is hoped that this would not be the situation in areas of Cheshire East like Poynton which will have to expect a much higher rate of development than has been normal over recent decades. | CIL, once adopted, will be one of a number of mechanisms to deliver infrastructure in the borough including S.106 / S.278 and planning conditions attached to planning permissions. |
| Mark Robinson, Wrenbury Parish Council (PDCS 26) | <ul style="list-style-type: none"> • Wrenbury village and its very rural surrounding Parish should be within Zone 4 (CIL Rate of £112 per sqm). The Parish is subject to very poor, aged, and failing access and infrastructure services. Without income from such a levy the local infrastructure, and therefore community and effectiveness as a Local Service Centre will decline. | CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie Draft Charging Schedule Viability Report |
| Turley Associates on behalf of W&S Sandbach Limited and Ainscough Strategic Land (PDCS56) | <ul style="list-style-type: none"> • Concern that testing of strategic sites has been left to later stages • Concern over acknowledgement that further work required on costing data and BCIS to inform the Draft Charging Schedule • Important that full and accurate source references are provided to data included in the report. • The gross and net site area should be provided for each of the comparable sites where the information is available • The average unit sizing stated within table 3.5 appears to be reasonably based upon the units which are currently being delivered within Cheshire East • Paragraph 3.26 of the KM report states that densities | <p>A selection of Local Plan Strategy strategic sites have been tested to derive the draft charging schedule position.</p> <p>Keppie Massie has considered comments raised within this representation within the Draft Charging Schedule viability report and has updated its assumptions, where appropriate.</p> <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> |

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| | <p>equating to 36 dwellings per hectare have been adopted for brownfield sites and 30 developments per hectare for greenfield sites. For high level assessment purposes, the Parties regard these as acceptable.</p> <ul style="list-style-type: none"> • Gross to net site ratios require refinement • Value areas in the KM report require refinement • Appendix 1 –entries highlighted red in the KM report require further explanation • Land Values - Concern over the sources of data • base input land costs require further explanation • Development programme - The majority of national housebuilders would, in their opinion, operate a 250 scheme as a single outlet with those of 300+ units more likely to be split. • Sales rates do not fit those anticipated on large schemes • Sales values - Source of data requires clarification • Build Costs - Parties acknowledge that some alterations may be required to make allowances for the data set upon which BCIS analysis is based, the deduction of allowances for both contractors profit and adjustment for scale are excessive and un-evidenced. • Professional fee allowances are marginal, and too low for larger typologies. • Contingency at 5% is regarded as reasonable, but the cost to which this is to be applied is not clear from the wording within Appendix 5. Contingency allowance should relate to all costs relating to construction. • Allowances for site opening up costs fall short of the Harman report (2012) which are in themselves dated and require increasing • Further reasoning required for abnormal costs • The Parties are very concerned that the costs of constructing garages is proposed to be included in the 15% external works allowance as adopted by WYG. • S.106 / S.278 assumptions and guidance - The continuation of CIL at the same level as received during recent years does not | |
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| | <p>appear appropriate and is contrary to CIL Guidance. A clear breakdown of the S106 contributions received within the last three years must be provided for scrutiny to ensure that S106 and items included within the CIL 123 list are not duplicated.</p> <ul style="list-style-type: none"> • Developers Profit - Paragraph 5.82 proposes a profit level based on 15% of GDV for smaller housing schemes of 5 and 10 homes. The Parties do not regard this as an appropriate approach and are not aware of evidence to support such an assumption. • Non Residential Uses - The PDCSVA assesses the majority of commercial uses as significantly unviable, which falls in line with the Parties' experience. The high level viability assessment assumptions adopted within the PDCSVA have little evidential support within the document • Commercial land values - no differential is provided between commercial development land values on brownfield or greenfield land • From commentary obtained from Legat Owen Chartered Surveyors, who are active commercial agents in Cheshire East, their opinion was that good quality commercial land in Sandbach would trade at circa £275,000 per acre • Sales values - The proposed £/sqm capital values should be included within table 5.9 which sets out the rent and investment yield only. • Non residential construction costs - Further reasoning and evidence is required to support the costs which are added to main BCIS elements. • Developer's Profit & Overhead - Turley and the Parties are not aware of any wide spread use of commercial developer's profit equating to 15% of costs. • Viability Testing Results - tables 6.2-6.11 summarise the outputs of the viability appraisals. From the tables it is clear that there is a significant differential between the results of the greenfield and brownfield appraisals • Interpretation of Testing Results - It is noted that within paragraphs 7.26-7.28, the larger 500 and 1,000 dwelling | |
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| | <p>viability results are excluded from the assessment of an appropriate CIL level, following the application of a 30% buffer. However, the exclusion of the larger sites does not appear to be reflected within the recommended CIL tariff set out at table 7.2, the preliminary draft charging rates set out at paragraph 6.1 of the PDCS, or the CIL charging zone map at figure 10 of the PDCS. The proposed rates appear to cover all forms of residential development in the applicable areas.</p> | |
| <p>Savills on behalf of Wain Group (Himor and Wainhomes), Dewscope, Bloor Homes and Persimmon Homes (PDCS 51)</p> | <ul style="list-style-type: none"> • Further information required on definition of value area(s) • Concern over Threshold Land Value assumptions • A 50% viability buffer should be employed. • Affordable Housing – Registered Providers are renegotiating S.106 packages • Construction costs – should adopt the BCIS data for estate housing (median rate) • No evidence for abnormal costs • Site opening up costs should be reviewed in line with the Harman guidance • Professional fees – 12-8% range would be a more appropriate range to use • Profit – advocate a minimum allowance of 20-25% on GDV (blended) is modelled for larger sites • Sales and marketing – rates between 3-5% are appropriate • S.106 / S278 – more evidence is required • Concern over definitions used in the KM report compared to that employed by the Council (particularly the use of ‘built up’ by the Council in determining their charging zones). | <p>Keppie Massie has considered comments raised within this representation within the Draft Charging Schedule viability report and has updated its assumptions, where appropriate.</p> <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> <p>The OS based plans presented alongside the charging schedule clearly delineate the charging zones.</p> <p>Evidence on S.106 agreements secured over the last 3 years has been provided in the S.106 and CIL position statement.</p> |
| <p>Emery Planning on Behalf of Wain Homes, Dewscope and Bloor Homes (PDCS53)</p> | <ul style="list-style-type: none"> • Please refer to Savills response above (PDCS 51) | <p>Noted.</p> |

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| <p>Cushman & Wakefield on behalf of Redrow Homes, Jones Homes, Richbrough Estates</p> | <ul style="list-style-type: none"> • Submitted their own detailed preliminary appraisal of sites CS10, CS40 & CS32 of the Local Plan Strategy and appraisal outputs suggests that these sites should be excluded from CIL • Question why site CS8 (South Macclesfield Development Area) of the LPS is excluded from the CIL Charge and ask for evidence of why this approach has been taken. • Also, disagree with allowance made for: <ul style="list-style-type: none"> ○ Abnormal Infrastructure ○ Site Opening Up costs ○ Threshold land value ○ CIL viability buffer. | <p>The South Macclesfield Development Area site in the Local Plan Strategy has been subject to testing as part of the work undertaken to support the draft charging schedule.</p> <p>Consultants, Keppie Massie have reviewed comments made in relation to the inputs of the appraisals undertaken and have made changes to the approach, where appropriate and supported by evidence.</p> |
| <p>Savills on behalf of Redrow Homes, Barratt Homes, David Wilson Homes, Taylor Wimpey UK and Jones Homes (PDCS49)</p> | <ul style="list-style-type: none"> • The consortium object to the principle of CIL on the strategic allocations • Appropriate evidence including the details of viability appraisals should be publically available • Cost of Section 278 infrastructure should be a relevant consideration in the viability evidence. <p>Comments on viability appraisal</p> <ul style="list-style-type: none"> • Clarification sought on whether all allocated sites will be tested within further strategic modelling. • Clarification sought as to how the 5 testing areas in the KM report correspond to the 5 Charing zones. • Clarification required on methodology • Typologies - request that 750 dwelling typology is incorporated - broader range of typologies • Disagree with Benchmark Land Values / Open Market Values / Affordable housing value / per hectare densities • Dwelling sizes - clarification as to whether garages are included in the appraisal. Garages form part of the Gross Internal Area and therefore CIL liable. • Disagree with Net Developable Area • Stamp Duty - agree in principle • Planning Fees - disagree with assumption used • Sales - disagree with assumptions used | <p>Keppie Massie has considered all the comments within this representation in the draft charging schedule viability report and has updated assumptions, where appropriate. This has included clarification on the value area boundaries.</p> <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> <p>The viability work also takes account of changing market conditions since the earlier evidence base was collated and the outcomes of testing a selection of the Local Plan Strategy strategic sites.</p> |

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| | <ul style="list-style-type: none"> • Construction costs - disagree with assumptions used • Affordable housing - agree in principle • S106 / 278 contributions – disagree • Developer Profit – disagree • Debit Rate - agree in principle • Marketing cost and sales - expect a range of 3-5% as in the KM report. Advocate a 4% figure is adopted. <p>There are a number of points within the KM & WYG Viability Appraisal that require clarification. This includes:</p> <ul style="list-style-type: none"> • The boundaries and extent of the five Value Areas and the relationship between the five Charging Zones and Value Areas. • No supporting evidence for the Existing Use Values and Benchmark Land Values has been provided; • No supporting evidence has been provided for the affordable housing values; • The generic modelling does not incorporate headline BCIS data. No evidence has been provided to support the baseline construction costs adopted; • No allowance has been made within modelling for planning promotion costs nor abnormal costs; • No evidence has been provided to support the site opening up costs assumed for Greenfield sites; • The allowance for professional fees moves away from the range stated with industry recognised guidance; • An inconsistent approach has been used when setting a viability buffer. • The consortium has undertaken alternative modelling - recommend that a nil levy is applied to Greenfield sites in excess of 150 dwellings across Charging Zone 4 and 5. | |
| Axis on behalf of Tata Chemicals | <ul style="list-style-type: none"> • Concern over approach to strategic sites and imperative that the viability of an appropriate sample of Strategic Sites are tested | The draft charging schedule consultation is supported by viability testing of a selection of Local Plan Strategy strategic sites. The sites represent different typologies and locations of development, across the borough. |

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| Europe (PDCS 21) | <ul style="list-style-type: none"> • We question whether the PDCS or Viability Assessment explains sufficiently clearly how the proposed rates contribute towards the implementation of the plan (albeit the Draft Regulation 123 Appendix does list out the types of infrastructure projects that could potentially be funded). • The Charging Authority is required to identify the total cost of infrastructure that they wish to fund wholly or partly through the levy as well as what infrastructure is needed in their area to support development. The link therefore between the Draft Regulation 123 list and the assessment of what is required is not clear. • We support the residual approach to methodology for CIL charging as it is realistic and maximises the opportunity for the levy to have a positive effect which does not threaten the ability to develop viably the sites required. • Regard needs to be had to realistic development costs including costs arising from other regulatory requirements and policies on planning obligations. | The council has identified the potential list of infrastructure to be funded via CIL and the relationship to section 106 planning obligations in the S106 and CIL position statement document. The council has also prepared an infrastructure projects document which details the items in the regulation 123 list and the respective funding gaps that CIL could potentially seek to address. |
| Axis on behalf of EDF Energy (PDCS20) | <ul style="list-style-type: none"> • See comment above (PDCS 21) | Noted |
| Barton Willmore on behalf of the Crown Estate (PDCS 18) | <ul style="list-style-type: none"> • In respect of sales values for newly constructed dwellings (2015 onwards), it is recognised that the values adopted in Knutsford have been derived from recent sales values in Wilmslow and Alderley Edge. Whilst noting that Knutsford is a highly desirable place to live we do not consider that Knutsford is as comparably 'high value' as Alderley Edge and Wilmslow against which to benchmark. • The average house price in Alderley Edge was £605,267, in Wilmslow was £413, 403 compared to the Knutsford average of £396,643. • Net Developable Areas – concern that the assumed net developable areas applied in the Viability Study are too high and consultation should take place with strategic site promoters who can provide more accurate information to inform this component of the viability assumptions. | Keppie Massie has considered all the comments within this representation in the draft charging schedule viability report and has updated assumptions, where appropriate. This has included clarification on the value area boundaries. |

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| <p>Knutsford Conservation and Heritage Group (PDCS 11)</p> | <ul style="list-style-type: none"> • Knutsford Conservation and Heritage Group (KCHG) do not agree with the assumptions and methodology used. • The Viability Assessment deals with CIL. But CIL is only one element to be used by the Council “towards funding the necessary and required infrastructure in the Borough” to support development, as set out in CEC’s Infrastructure Delivery Plan (CEC’s Document, para 4.3). • It is noted that CEC’s Infrastructure Delivery Plan identifies a current total funding gap of £372,763,650 - £450,645,650 (para 4.6), that funding gap relates only to CEC’s forecasts of such infrastructure as it considers necessary to ensure the soundness of the LPS to allow for its adoption. In reality, the infrastructure needs of Cheshire East communities may well exceed CEC’s forecast funding gap • As CIL is but one of the funding sources to deliver infrastructure, what sensitivity analysis has been undertaken by CEC of those other funding sources, and what risks of them being other than as per CEC’s quantified forecasts? • CEC’s proposed monitoring and review of CIL (para 5.4) appears insufficient and triggers for review • There is insufficient clarity on what infrastructure is to be funded by CIL or another mechanism, and why that funding source is decided on. | <p>CIL is one source of funding infrastructure in the borough and will sit alongside mechanisms, such as S.106 agreements, to deliver infrastructure to support the development intentions of the Local Plan Strategy.</p> <p>The Infrastructure Delivery Plan includes in the various infrastructure delivery schedules other funding sources that can contribute towards meeting the infrastructure delivery gap identified. The government recognizes that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. With this in mind, the council has focused on providing evidence on identifying an aggregate funding gap that demonstrates the need to put in place the levy, in the first instance.</p> <p>The council has included monitoring triggers for CIL performance alongside indicators that measure the Local Plan Strategy. For example, Local Plan Strategy monitoring indicator MF1 (provision of infrastructure) includes within its ‘proposed action for target not being met’ a review of the operation of CIL and the Charging Schedule.</p> |
| <p>Bunbury Parish Council (PDCS 10)</p> | <ul style="list-style-type: none"> • The areas listed in Zone 1 are Principal and Key Towns and Villages where the majority of new development will take place. To levy a zero charge does not make sense when these are the areas where the majority of new housing will take place and will as a result require improvements to existing infrastructure. • A zero rate in these areas also denies Parish Councils that have Neighbourhood Plans in place the 25% contribution that could be used for small projects that are identified locally, bringing decision making to a truly local level. • A flat rate charged across the Borough, of say £135 (Cheshire West are using this rate) would not be unreasonable | <p>CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie draft charging schedule viability report.</p> <p>Each charging authority has to set CIL rates based on its own evidence and circumstances. The council consider the proposed CIL DCS is based on robust and appropriate evidence and is justified in its own context. Cheshire West and Chester has now adopted its CIL Charging Schedule, to be implemented from September 2017, with a rate of £70 for Chester and the rural area (zone 1) - reduced from £110 following examination.</p> |

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| <p>DPP on behalf of Argonaught Holdings Limited (PDCS44)</p> | <ul style="list-style-type: none"> • In general terms yes as the assessment is based on conventional assessment/appraisal models. However, can anomalies or one off situations can be adequately accommodated through this type of initiative? • The proposed rates are based on the assumption that development in designated locations will either be viable or would not be viable if a CIL charge were to be rendered, hence the range of charges proposed. • Keeping the bias on s106 contributions at least allows some flexibility on scope and overall amount of a contribution whereas this is less easy with CIL, which as experience tells can be applied with far less flexibility. | <p>Noted.</p> |
| <p>How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50)</p> | <p>Comments relating to a number of matters including:</p> <ul style="list-style-type: none"> • Use of average median values of data; • Dwelling sizes; too broad brushed • Gross to Net site ratios; do not allow for a significant buffer • Densities per acre; KM have excluded a number of developments from their assessment • Base input land costs; no viability cushion • Sales values; require further market evidence • Acquisition costs - allowances made are within acceptable tolerances but at the lower end of the range • Development programmes; assumption over the 'doubling up' of developers needs further evidence • Construction costs; BCIS costs need updating. Requires further consideration of abnormal costs. • The Charging Zone Map; requires further consideration • S106 / S278 costs; require further evidence and • Developer's profit - 20% of GDV should be a minimum. | <p>Keppie Massie has considered all the comments within this representation in the draft charging schedule viability report and has updated assumptions, where appropriate.</p> <p>The council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> <p>The council has identified the potential list of infrastructure to be funded via CIL and the relationship to section 106 planning obligations in the S106 and CIL position statement document. The council has also prepared an infrastructure projects document which details the items in the regulation 123 list and the respective funding gaps that CIL could potentially seek to address.</p> |
| <p>Bob Sharples (PDCS8)</p> | <ul style="list-style-type: none"> • The approach appears to be sound | <p>Noted</p> |
| <p>Bollington Neighbourhood Plan (PDCS 57)</p> | <ul style="list-style-type: none"> • We do not consider that the assessment of differences in viability of future construction in the different settlement areas is valid or justified. There will be significant variation within each area depending on the initial site condition and the nature of the proposed development. | <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence. The CIL NPPG states the council should use an area based approach involving a broad test of viability across the area as evidence to inform the charge. Viability of CIL has been assessed through the CIL Viability Assessment.</p> |

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| <p>Barton Willmore on behalf of the Cranford Estates Ltd (PDCS 42)</p> | <ul style="list-style-type: none"> • Little regard appears to have been made within the Viability Appraisal towards the time taken to deliver a residential development, which will affect costs (due to interest on loans/ongoing costs) and profits (with staggered sales). This is likely to vary across the Borough • CEC must ensure that the levy sought is sufficiently flexible to protect the viability of the potential range of development types which might come forward across the Borough over the Plan period. In view of this, our Client welcomes the decision made by CEC to adopt a range of CIL rates across the Borough in response to differing land and development values. • At present it is unclear what levy, if any, will be charged by the Council towards brownfield proposals within Zoned 4 and 5 of the Borough. • Concerned by the proposed CIL rate for residential proposals within Zones 4 and Zone 5. | |
| <p>Cheshire Association of Local Councils (PDCS 31)</p> | <ul style="list-style-type: none"> • No, as it not clear why some settlements in the north charge £88/sqm for new housing and yet in the south the charge is £0. • It is also not clear why there is an apparently arbitrary line from Goostrey to Bollington where development in the rural areas is charged above the line at £168 and below the line at £112? • We would recommend a flat charge across the Borough similar to that in the Cheshire West area of £110 per square meter for new residential developments in Crewe and Macclesfield urban areas, the key towns, the Local Service Centres and the whole rural area. | <p>CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie draft charging schedule viability report.</p> <p>Each charging authority has to set CIL rates based on its own evidence and circumstances. The council consider the proposed CIL DCS is based on robust and appropriate evidence and is justified in its own context. Cheshire West and Chester has now adopted its CIL Charging Schedule, to be implemented from September 2017, with a rate of £70 for Chester and the rural area (zone 1) - reduced from £110 following examination.</p> |
| <p>Dr Sarah Anderson (PDCS4)</p> | <ul style="list-style-type: none"> • Disagree with methodology and outcomes | <p>The Council consider the proposed CIL DCS is based on robust and appropriate evidence.</p> |
| <p>Holmes Chapel Parish Council (PDCS3)</p> | <ul style="list-style-type: none"> • Yes | <p>Noted</p> |

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| <p>Congleton Town Council (PDCS58)</p> | <ul style="list-style-type: none"> • No, as it not clear why some settlements in the north charge £88/sqm for new housing and yet in the south the charge is £0. It is also not clear why there is an apparently arbitrary line from Goostrey to Bollington where development in the rural areas is charged above the line at £168 and below the line at £112? • We would recommend a flat charge across the Borough similar to that in the Cheshire West area of £110 per square metre for new residential developments in Congleton, Crewe and Macclesfield urban areas, the key towns, the Local Service Centres and the whole rural area. | <p>CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie draft charging schedule viability report.</p> <p>Each charging authority has to set CIL rates based on its own evidence and circumstances. The council consider the proposed CIL DCS is based on robust and appropriate evidence and is justified in its own context. Cheshire West and Chester has now adopted its CIL Charging Schedule, to be implemented from September 2017, with a rate of £70 for Chester and the rural area (zone 1) - reduced from £110 following examination.</p> |
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2) Do the proposed rates in the Preliminary Draft Charging Schedule strike an appropriate balance between funding infrastructure and any potential effects on the viability of development?

| Name / Organisation | Summary of Issue Raised | Council's Response |
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| Nicola Clarke – Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> Need a less ambiguous definition of viability. Parish Council consider that viability as development which supports the Neighbourhood Plan. | <p>CIL regulations require charging authorities to set a CIL rate which does not threaten the ability to develop viably the sites and scale of development identified in the relevant Plan (in this case the Local Plan Strategy).</p> <p>Charging authorities should use that evidence to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact upon the economic viability of development across their area.</p> |
| Karen Tomlinson (PSCS22) | <ul style="list-style-type: none"> Whilst a balance needs to be struck, the proposed £0 band CIL rate for Disley is not appropriate. CIL from new homes is needed to fund infrastructure. | <p>CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance based on the recommendations in the Keppie Massie draft charging schedule viability report.</p> |
| Indigo Planning on behalf of Seddon Homes (PSCS46) | <ul style="list-style-type: none"> There should be transparency on what a charging authority intends to fund in whole or in part through the levy and those matters where s106 contributions may continue to be sought. | <p>The Council has prepared a position statement on the CIL and Planning Obligations to provide further advice on such matters.</p> |
| Audlem Parish Council – Kirstin Dixon (PDCS25) | <ul style="list-style-type: none"> The proposed charges for the Key and Local Service Centres in the south of the Borough in Zones 1 and 4 do not make sense. These areas are the ones that are subject to most development in the Borough and where the infrastructure is least able to cope with the additional pressure that development brings. This policy is counter-intuitive. Additionally, by imposing a higher rate on areas in the north, this could divert development to areas in the south where no, or a lesser, charge is levied. An alternative way would be to levy a flat charge for all residential development, as is the case in Chester and the rural areas of Cheshire West. | <p>The proposed charging levels are supported by an economic viability study. CIL rates have been set in relation to economic viability evidence as required by the CIL regulations and are not a policy decision.</p> <p>Each charging authority has to set CIL rates based on its own evidence and circumstances. The council consider the proposed CIL DCS is based on robust and appropriate evidence and is justified in its own context. Cheshire West and Chester has now adopted its CIL Charging Schedule, to be implemented from September 2017, with a rate of £70 for Chester and the rural area (zone 1) reduced from £110 following examination.</p> |

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| Liz Osborn, Poynton Town Council (PDCS 38) | <ul style="list-style-type: none"> • CIL will only make up a small percentage of the shortfall. Local authorities are therefore reliant on securing alternative funding sources. There is a limited amount of public funding available, making it necessary to prioritise certain projects. • It is therefore important for the Town Council to continue to recognise the continuing value of section 106 agreements and other sources of funding for infrastructure as CIL is only one funding source available. | The role of CIL, as one funding source alongside S.106s and other funding streams is recognised by the Council as important in order to deliver the overall infrastructure requirements to support the Local Plan Strategy. |
| Mark Robinson, Wrenbury Parish Council (PDCS 26) | <ul style="list-style-type: none"> • We agree with the rates, and consider that they strike the right balance, we simply do not agree with the zoning applied within our Parish | The proposed CIL charging rates and zoning as they apply across the Borough are supported by an economic viability study. |
| Turley Associates on behalf of W&S Sandbach Limited and Ainscough Strategic Land (PDCS56) | <ul style="list-style-type: none"> • The proposed rates are based on an assessment of viability which requires significantly greater levels of evidence and reasoning along with amended assumptions, particularly in respect of benchmark land values to ensure that sites are assessed on an equitable basis | The draft charging levels are supported by an economic viability study, as amended following the consultation on the preliminary draft charging schedule, and have been set in relation to economic viability evidence as required by the CIL regulations. |
| Axis on behalf of Tata Chemicals Europe (PDCS 21) | <ul style="list-style-type: none"> • The PDCS strikes an appropriate balance between the desirability of funding infrastructure in whole or in part the actual and estimated total cost of infrastructure required to support the development of its area | Noted |
| Hourigan Connolly on behalf of Story Homes (PDCS 45) | <ul style="list-style-type: none"> • The PDCS has adopted a zoning system which designates on the basis of Zones 1-5. As opposed to zoning sites on a brownfield/greenfield differential basis, as identified in the Keppie Massie evidence, the Council has devised the zones on a built-up/greenfield differential basis (outlined in Table 1). • The consequence is that based on the PDCS and the accompanying maps, several sites would be subject to a CIL charge, which should not be subject to a charge according to KM's analysis. Outer Crewe, including Site CS 4, is one of those sites. • Site CS 4 is identified as a low zone in the Keppie | <p>The draft charging schedule sets out a CIL position on all of the Local Plan Strategic sites following viability testing of a selection of sites.</p> <p>The zoning map, attached to the CIL charging schedule is considered to be aligned with viability evidence produced by Keppie Massie and the requirements associated with the differentiation of sites.</p> |

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| | <p>Massie evidence. It should therefore be included in a zone with a £0 per square meter charge in line with the Keppie Massie evidence.</p> | |
| <p>Axis on behalf of EDF Energy (PDCS20)</p> | <ul style="list-style-type: none"> • Please refer to response (PDCS 21) | <p>Noted</p> |
| <p>Barton Willmore on behalf of the Crown Estate (PDCS 18)</p> | <ul style="list-style-type: none"> • The Crown Estate considers that it would be inappropriate to apply a uniform CIL level across the whole of the Borough, or indeed across all types of development. As such setting an appropriate CIL level will clearly differ depending on the location and type of development proposed. In every variation the figure must be realistic and reasonable and based upon sound evidence. • We recognise that some of the assumptions used in the methodology of the Viability Assessment may need to be amended following consultation on the strategic sites | <p>The support for setting differential CIL rates across the Borough is noted.</p> <p>The updated Viability Report which supports the draft charging schedule has considered and tested a number of Local Plan Strategy strategic sites and is considered to represent appropriate and available evidence to support a future CIL charge in Cheshire East.</p> |
| <p>Knutsford Conservation and Heritage Group (PDCS 14)</p> | <ul style="list-style-type: none"> • KCHG does not agree the proposed rates strike an appropriate balance in CEC's Preliminary Draft Charging Schedule. • Impact of Referendum decision, skills and materials shortages, and growth agendas being pursued in other areas (including nearby, as in Greater Manchester and Cheshire West and Chester Borough). • CIL rates do not take account of existing infrastructure provision • Rates in Knutsford are too low • Keppie Massie's description of Knutsford (para 4.8) lacks important information. Knutsford has a good spatial and functional spread of jobs. | <p>The CIL rates, proposed in the Draft Charging Schedule set an appropriate balance between the viability of development and the funding of infrastructure in the Borough.</p> <p>Issues, such as the referendum decision are reflected in the Keppie Massie work in aspects such as market commentary and property market overview.</p> |
| <p>Crewe Town Council (PDCS9)</p> | <ul style="list-style-type: none"> • Crewe Town Council supports the proposed charging schedule as it relates to the Parish of Crewe, but does not understand why the proposed charging rates are so much lower in the peripheral areas to the south of | <p>The proposed charging levels are supported by an economic viability study as amended, following the consultation on the preliminary draft charging schedule and have been set in relation to economic viability evidence as required by the CIL regulations.</p> |

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| | Crewe compared to the north. This could have the effect of diverting or skewing development patterns around the town. | |
| How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50) | <ul style="list-style-type: none"> The proposed rates are not considered to be sound. The omission of any specific viability considerations of strategic sites makes it difficult to reach firm conclusions on the most appropriate rates. | The updated Viability Report which supports the draft charging schedule has considered and tested a number of Local Plan Strategy strategic sites and is considered to represent appropriate and available evidence to support a future CIL charge in Cheshire East. |
| Bob Sharples (PDCS8) | <ul style="list-style-type: none"> The approach appears to be sound but do not have the knowledge to say the proposed rates are correct. | Noted |
| Bollington Neighbourhood Plan (PDCS 57) | <ul style="list-style-type: none"> Whilst we understand that a balance has to be made between the economics of whether a development will be viable and infrastructure improvements, we do not consider that a zero-rated band is appropriate for the existing built-up areas of Bollington. The additional costs of development on a brownfield site have been shown to be entirely viable at the Waterhouse Mill site with extensive remediation and this has been excluded from the Keppie Massie report as non-typical. | The proposed charging levels are supported by an economic viability study as amended, following the consultation on the preliminary draft charging schedule and have been set in relation to economic viability evidence as required by the CIL regulations. |
| Knutsford Town Council (PDCS35) | <ul style="list-style-type: none"> The Town Council has noted the expected significant uplift in land values in Knutsford as a consequence of development. Development in Knutsford is more profitable than in many other areas due to the higher uplifts in value, including for commercial development which for Knutsford will be high-end offices or research and development. Therefore, the Town Council considers that no development sites in | Noted |

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| | Knutsford, including commercial, should have a CIL Rate of £0. | |
| Debbie Jamison (PDCS5) | <ul style="list-style-type: none"> The balance has been in favour of reducing the CIL levy that could be applied which means that the necessary infrastructure, particularly the sustainable community elements have been missed. | The Regulation 123 list is based on those infrastructure projects noted in the Infrastructure Delivery Plan to support the delivery of the Local Plan Strategy |
| Dr Sarah Anderson (PDCS4) | <ul style="list-style-type: none"> It is absurd to set £0 rates since this will mean that there is no contribution to infrastructure in precisely those areas where development is taking place By having higher rates in the north, there will be an incentive for developers to focus their development on the south of the borough Cheshire West (using the same consultants Keppie Massie) have come up with a different approach of £135 per dwelling flat charge for much of the area. There is no obvious reason why this approach should not be adopted by Cheshire East. Infrastructure to support new development must not be sacrificed in order to protect developers' profit of 20%. They can take a bit less if necessary. | <p>On adoption of CIL, S.106 agreements will still exist to fund infrastructure in the borough, alongside other funding streams.</p> <p>The proposed charging levels are supported by an economic viability study. CIL rates have been set in relation to economic viability evidence as required by the CIL regulations and are not a policy decision.</p> <p>The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge adopted by Cheshire West and Chester.</p> |
| Congleton Town Council (PDCS58) | <ul style="list-style-type: none"> There is a significant infrastructure shortfall which will only increase with the scale of development proposed across the Local Plan area and, in particular to the north of Congleton. A flat rate across the whole of the Borough whether this is at £110 or £150 per square metre for new residential development would make up that shortfall and, importantly, should be paid at the start of the proposed development to ensure that the required infrastructure can be delivered. | Noted, CIL regulations are prescriptive on how the Charge is collected and spent. Some additional guidance has been added to the draft charging schedule consultation document. |

| 3) What approach should be taken to strategic sites identified in the Local Plan Strategy, when considering the delivery of infrastructure, CIL payments and / or S.106 agreements? Please provide 'appropriate and available' evidence to support your view. | | |
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| Name / Organisation | Summary of Issue Raised | Council's Response |
| Nicola Clarke – Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> There needs to be more clarity on the relationship between CIL and S106 and it is assumed that both will be applicable when considering new applications – it is not a case of either/or. | The Council has prepared a position statement that considers the relationship of CIL to other planning obligations, such as S.106. |
| Karen Tomlinson (PSCS22) | <ul style="list-style-type: none"> If Disley is at band £0 for CIL and small developments and conversions that do not attract S.106 are predicted, how is any revenue for infrastructure to be secured to support growth? | <p>The proposed charging levels are supported by an economic viability study. CIL rates have been set in relation to economic viability evidence as required by the CIL regulations and are not a policy decision.</p> <p>Developers may be asked to provide contributions for infrastructure in several ways. This may be by way of the Community Infrastructure Levy and / or planning obligations in the form of section 106 agreements and section 278 highway agreements. Developers will also have to comply with any conditions attached to their planning permission</p> <p>There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This includes developments of 10 units or less. This follows the written ministerial statement of the 2 March 2015.</p> |
| Indigo Planning on behalf of Seddon Homes (PSCS46) | <ul style="list-style-type: none"> Strategic Sites should typically be identified in either Zone 1 or Zone 3 depending on where they are in the borough (noting the possibility of different rates allowed under Regulation 13). This would be consistent if Cheshire East decide 'built up area' is the relevant settlement boundary and these boundaries are updated to include the strategic sites in the Site Allocations DPD. The Council should consider setting different rates for strategic sites where viability might impact on the delivery of housing | Consultants Keppie Massie have tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule and how they are proposed to be applied. |

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| <p>Mosiac Town Planning on behalf of Persimmon Homes (PDCS54)</p> | <ul style="list-style-type: none"> • It seems premature to produce a draft charging schedule without sampling of sites • Poynton is bracketed with Knutsford, Wilmslow, Alderley Edge and Prestbury (Prime Value) rather than with Handforth (High Value). At the level of assessment carried out, an absence of greenfield sites in Poynton to provide a benchmark has been an issue. • Rather than make assumptions based on development sites/ locations which are not comparable and have been developed at a time of very limited new supply, a robust assessment must consider the specific sites proposed to be allocated. | <p>Viability testing of a sample of Local Plan Strategy Strategic Sites has been undertaken by Keppie Massie to inform the draft charging schedule. This has included an assessment of greenfield sites on the edge of Poynton.</p> |
| <p>Liz Osborn, Poynton Town Council (PDCS 38)</p> | <ul style="list-style-type: none"> • The release of the strategic sites for development in Green Belt areas (including three sites in Poynton totalling 450 new homes) has to meet the test of exceptional circumstances and therefore the highest rate of CIL charging is appropriate to be applied. | <p>The proposed charging levels are supported by an economic viability study as amended, following the consultation on the preliminary draft charging schedule and have been set in relation to economic viability evidence as required by the CIL regulations and are not a policy decision.</p> |
| <p>Turley Associates on behalf of W&S Sandbach Limited and Ainscough Strategic Land (PDCS56)</p> | <ul style="list-style-type: none"> • The Parties consider that the delivery of infrastructure in respect of strategic sites will be shown to be undeliverable via CIL following an appropriate consultation process. • Paragraph 7.46 states that the results assume that the tariff is payable at the commencement of the development. However, a CIL payment is not included within the viability modelling which has been adopted, and the statement is potentially misleading. • Paragraph 7.49 makes reference to further modelling of a 1,000 dwelling scheme on a greenfield site in a high value location including three different instalment options. | <p>Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data</p> |
| <p>Savills on behalf of Wain Group (Himor and Wainhomes), Dewscope, Bloor</p> | <ul style="list-style-type: none"> • There has been no specific site testing as part of the study | <p>Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the Draft Charging Schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data</p> |

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| Homes and Persimmon Homes (PDCS 51) | | |
| Emery Planning on Behalf of Wain Homes, Dewscope and Bloor Homes (PDCS53) | <ul style="list-style-type: none"> • There has been no specific site testing as part of the study | Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data |
| Savills on behalf of Redrow Homes, Barratt Homes, David Wilson Homes, Taylor Wimpey UK and Jones Homes (PDCS49) | <ul style="list-style-type: none"> • CEC should test strategic sites as part of the viability work. • CEC should consider setting a £0 rate CIL for strategic sites within the CIL charging schedule. Larger strategic sites are inevitably the more complex and challenging to plan and deliver than smaller developments. They frequently involve a number of landowners and often have a patchwork of developers/promoters working on a consortium basis. • Section 106 agreements on the large strategic sites can take some time to prepare; however, these are the only robust, transparent and refined means of dealing with the infrastructure requirements. • The introduction of CIL as a means of capturing land value uplift to fund infrastructure is an effective mechanism for smaller developments where there is a limited impact on infrastructure and little or no on-site provision. • Setting a £0 psm CIL rate for the strategic allocations and at the same time excluding these allocations from the infrastructure provision within the Regulation 123 List will ensure that the infrastructure is delivered in an agreed manner through bespoke Section 106 agreements. • The alternative, 'CIL-led' approach, can only be effective where CEC and other public bodies forward fund infrastructure, to enable development, and propose requisite procurement and delivery strategies. The consortium is unaware that any of | <p>Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data.</p> <p>CIL rates have been set in relation to economic viability evidence and not policy objectives. The Council is proposing variable CIL rates to reflect value areas in the Borough, in accordance with the CIL regulations and National Planning Policy Guidance informed by the recommendations in the Keppie Massie draft charging schedule viability report.</p> |

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| | these neither initiatives nor strategies exists at this time. | |
| Axis on behalf of Tata Chemicals Europe (PDCS 21) | <ul style="list-style-type: none"> • Strategic Sites identified within the LPS are those which are likely to place the greatest direct burden on infrastructure needs. • The NPPG confirms that in valuing development for the purposes of the levy a Charging Authority should draw on existing data wherever it is available. They should directly sample an appropriate range of types of sites across its area, in order to supplement existing data. This exercise should focus on strategic sites on which the Plan relies. | Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data. |
| Barton Willmore on behalf of the Crown Estate (PDCS 18) | <ul style="list-style-type: none"> • The Crown Estate has significant land interests at North West Knutsford at Site Policy CS18 (a) and (b) in the emerging Local Plan Strategy. Outline planning applications on land to the west of Manchester Road, Knutsford and to the north of Northwich Road, Knutsford are currently being prepared within the context of Site Policy CS18. • It is noted that the strategic sites contained within the emerging Local Plan Strategy have not been tested at this stage, and will instead be assessed within subsequent viability testing. • In testing the strategic sites, it will be necessary for the Council to take into account the specific infrastructure requirements of each site and the scale of abnormal costs. | Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data. |
| Knutsford Conservation and Heritage Group (PDCS12) | <ul style="list-style-type: none"> • KCHG considers that infrastructure delivery required as a result of the development of strategic sites identified in the LPS should be met from CIL payments. • The impacts of strategic sites on infrastructure requirements should be properly and adequately funded | The infrastructure delivery plan identifies a number of schemes required to support the development intentions of the Local Plan Strategy. This has considered the infrastructure impacts and has been examined as part of the adoption of the Local Plan Strategy. CIL is one funding mechanism that can be used to fund infrastructure. This is made clear in policy IN2 (developer contributions) of the Local Plan Strategy whereby S.106 agreements and other contributions will continue to be used once a CIL charging schedule is in place. |

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| DPP on behalf of Argonaught Holdings Limited (PDCS44) | <ul style="list-style-type: none"> A strategic site which gives rise to the need for new infrastructure should be expected to contribute more towards said infrastructure than a smaller development elsewhere which is also caught by CIL. | Section 106 agreements will still exist on the adoption of CIL to address site specific requirements in line with the appropriate regulations. |
| How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50) | <ul style="list-style-type: none"> Local Plan Strategy sites are a key component of housing land supply. The DVA does not test their viability and a considerable amount of work still needs to be undertaken on CIL. Strategic sites tend to have more significant infrastructure requirements than smaller sites. The strategic sites identified in the Cheshire East Local Plan Strategy vary in size from 150 to 1,100 dwellings, and therefore the extent of infrastructure required as part of the development will also vary. | Consultants Keppie Massie has tested a number of Local Plan Strategy strategic sites to inform the proposed rates in the draft charging schedule. This has included a sample an appropriate range of types of sites across its area, in order to supplement existing data. |
| Bob Sharples (PDCS8) | <ul style="list-style-type: none"> With regards to the element in the Local Plan concerning Recreation and Sporting Facilities (indoor sports facilities and sports pitches) has been based on sound methodology | Noted |
| Knutsford Town Council (PDCS35) | <ul style="list-style-type: none"> There is uncertainty from interpretation of the accompanying maps as to whether all strategic sites identified in the Local Plan Strategy are in charging zone five. | A table is included in the draft charging schedule to assist in the interpretation of which charging zone applies to each Local Plan Strategy site. |
| Cheshire Association of Local Councils (PDCS 31) | <ul style="list-style-type: none"> It may be appropriate to charge a higher rate for strategic sites as there is a degree of certainty for the developers and, because of their scale they need a considerable amount of infrastructure investment. | The charging zone definition is based on appropriate and available viability evidence and not a policy decision. Section 106 agreements will still exist on the adoption of CIL to address site specific requirements in line with the appropriate regulations. |
| Debbie Jamison (PDCS5) | <ul style="list-style-type: none"> Strategic sites as the larger sites generate the greatest need for infrastructure and the best opportunity for contributions to be sought The CiL 123 project list should be expanded to include the community wide infrastructure to serve the whole catchment that will be needed to make these plans sustainable development in the area | The charging zone definition is based on appropriate and available viability evidence and not a policy decision. Section 106 agreements will still exist on the adoption of CIL to address site specific requirements in line with the appropriate regulations. |

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| Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> • There needs to be more clarity on the relationship between CIL and S106 and it is assumed that both will be applicable when considering new applications – it is not a case of either/or | The Council has prepared a document outlining the relationship between S.106 and CIL on adoption of a future charging schedule. |
| Congleton Town Council (PDCS58) | <ul style="list-style-type: none"> • It may be appropriate to charge a higher rate for strategic sites as there is a degree of certainty for the developers and, because of their scale they need a considerable amount of infrastructure investment. In addition because of the impact of Strategic sites on the surrounding areas a greater contribution may be required to mitigate that impact on roads, schools, libraries and health services. | Noted |

| 4) Do you agree that the Council should introduce an instalments policy to stagger future CIL payments? If so, do you have any suggestions on the approach that the Council should take to such a policy? | | |
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| Name / Organisation | Summary of Issue Raised | Council's Response |
| Nicola Clarke – Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> There is a need for a clear instalments policy As we expect to have a 'made' Neighbourhood Plan by the time CIL is introduced, the policy needs to make clear when the Parish Council's 25% share of the CIL payment will be due. | <p>A draft instalments policy has been prepared to support the consultation on the draft charging schedule</p> <p>Governance arrangements will be put in place on the adoption of CIL that will address when CIL payments will be due. Regulation 59D of the Community Infrastructure Levy Regulations note that the neighbourhood portion must be paid every 6 months, at the end of October and the end of April.</p> |
| Indigo Planning on behalf of Morris Homes (PDCS 47) | <ul style="list-style-type: none"> Providing an instalment policy will give developers the assurance that development can be financed and a steady cash flow maintained. | A draft instalments policy has been prepared to support the consultation on the draft charging schedule |
| Barton Willmore on behalf of Trafford Housing Trust (PDCS60) | <ul style="list-style-type: none"> CEC should adopt a flexible approach with regards CIL. Since many residential developments are self-financed, the approach adopted by the Council to securing money will need to have regard to planned phasing and projected sales rates on a site by site basis so not to stall a development | A draft instalments policy has been prepared to support the consultation on the draft charging schedule |
| Indigo Planning on behalf of Seddon Homes (PSCS46) | <ul style="list-style-type: none"> SHL agree that the Council should introduce an instalments policy to stagger payments | A draft instalments policy has been prepared to support the consultation on the draft charging schedule |
| Mosaic Town Planning on behalf of Persimmon Homes (PDCS54) | <ul style="list-style-type: none"> Viability testing should not include an instalments policy with regard to forecasting cash flow within future developments. Instalments policies can be amended and or removed at any point by the local authority with only limited public consultation therefore they should not be relied upon as part of the evidence base for setting a CIL charging | <p>A draft instalments policy has been prepared to support the consultation on the draft charging schedule.</p> <p>In proposing the CIL rates, we have had regard to the CIL Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the</p> |

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| | <p>schedule.</p> <ul style="list-style-type: none"> • We would support the principle of payments being spread over a development rather than a single payment at the outset of the development and welcome the opportunity to provide more detail on this at a later point in the process. • We believe that there should be an overriding mechanism which, in certain situations should the CIL payments threatens the viability, and thus the deliverability of the scheme proposed, can be negotiated and agreed on a one-to-one basis. | <p>CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy should be kept under review.</p> |
| <p>Hourigan Connolly on behalf of Anwyl Land, Co-operative Estates, Gladman Developments, Richborough Estates, Stewart Milne Homes and Story Homes (PDCS 55)</p> | <ul style="list-style-type: none"> • Instalments policy – should be in line with the CIL regulations and detail the timing and level of payments. • The cash flow of a developer is fundamental to the delivery of development • The number of instalments should be linked to the number of units which form part of the chargeable development. The Instalment Policy should also include a system of weighting whereby a higher proportion of the overall CIL charge is due in the later instalments. Shropshire is a good example to follow. • The Consortium also suggests that the Council should provide a specific definition of ‘commencement’ in relation to the triggering of a CIL payment. The definition should exclude ground works and strategic infrastructure and should comprise the actual commencement of the construction of floorspace. • Any future Instalment Policy should refer to the ability to make phased payments. | <p>A draft instalments policy has been prepared to support the consultation on the draft charging schedule.</p> <p>The day on which an instalment payment will be due will be calculated from the date of commencement of development on site. This date will be taken to be the date advised by the developer in the Commencement Notice as laid out in CIL regulation 67</p> |
| <p>Liz Osborn, Poynton Town Council (PDCS 38)</p> | <ul style="list-style-type: none"> • Poynton Town Council would support the principle of stagger CIL payments if it can bring forward transport and infrastructure improvements in north Cheshire • Poynton Town Council would suggest that caution be exercised in respect of any relief, particularly for the higher end charges on the basis that the sites are being removed from the Green Belt | <p>Noted</p> |

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| Mark Robinson, Wrenbury Parish Council (PDCS 26) | <ul style="list-style-type: none"> We do not agree that the council should introduce an instalments policy to stagger payments. CIL payments are only applicable on larger sites, where developers/land owners should be able to afford payments in one lump. | Noted. |
| Savills on behalf of Wain Group (Himor and Wainhomes), Dewscope, Bloor Homes and Persimmon Homes (PDCS 51) | <ul style="list-style-type: none"> Instalments policy - can be amended and or removed at any point by the local authority with only limited public consultation therefore they should not be relied upon as part of the evidence base for setting a CIL charging schedule. There should be an overriding mechanism which, in certain situations should the CIL payments threaten the viability, and thus the deliverability of the scheme proposed, can be negotiated and agreed on a one-to-one basis. | <p>A draft instalments policy has been prepared to support the consultation on the draft charging schedule.</p> <p>In proposing the CIL rates, we have had regard to the CIL Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy will be kept under review.</p> |
| Emery Planning on Behalf of Wain Homes, Dewscope and Bloor Homes (PDCS53) | <ul style="list-style-type: none"> Please see response (PDCS 51) above | Noted |
| Savills on behalf of Redrow Homes, Barratt Homes, David Wilson Homes, Taylor Wimpey UK and Jones Homes (PDCS49) | <ul style="list-style-type: none"> The principle of an instalments policy is welcomed as it is important that the timing of delivery of development is considered to ensure no unnecessary pressure on cash flow Developer cashflow is an important consideration, notably in respect of upfront infrastructure costs typically associated with strategic development. The Instalment Policy should aim to reflect, as closely as possible, the timing of delivery of the development, to ensure that the CIL does not put unnecessary pressure on cashflow and viability. There should be an overriding mechanism in line with the PPG. | <p>A draft instalments policy has been prepared to support the consultation on the draft charging schedule.</p> <p>In proposing the CIL rates, we have had regard to the CIL Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy will be kept under review.</p> |

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| Axis on behalf of Tata Chemicals Europe (PDCS 21) | <ul style="list-style-type: none"> Given the phased nature of many developments and the slow release of revenue derived from initially high capital expenditure, it seems appropriate that instalment policies are developed to help stagger future payments. | Noted |
| Hourigan Connolly on behalf of Story Homes (PDCS 45) | <ul style="list-style-type: none"> It is crucial that the instalments policy is truly flexible enough to encourage development to come forward at the fastest possible rate, whilst also mitigating for its impacts. The draft Instalment Policy, to be provided at CIL Draft Charging Schedule stage, should be in line with the CIL regulations and detail the timing and level of payments. The cash flow of a developer is fundamental to the delivery of development, particularly in relation to the provision of infrastructure, which is typically provided upfront before sales receipts can be obtained. | A draft instalments policy has been prepared to support the consultation on the draft charging schedule. |
| Axis on behalf of EDF Energy (PDCS20) | <ul style="list-style-type: none"> Please see ref PDCS 21 (above) | Noted |
| Barton Willmore on behalf of the Crown Estate (PDCS 18) | <ul style="list-style-type: none"> Supports the implementation of an instalments policy which would stagger payments over the period of a development. This will ease the upfront burden upon developers This principle will allow for more reasonable management of cash flow. | A draft instalments policy has been prepared to support the consultation on the draft charging schedule. |
| Knutsford Conservation and Heritage Group (PDCS 15) | <ul style="list-style-type: none"> KCHG considers that the staggering of payments is simply part of the “appropriate balance” issue, for which it is therefore necessary for the appropriate CIL charging rate to be set, monitored and reviewed as required. | Noted |
| DPP on behalf of Argonaut Holdings Limited (PDCS44) | <ul style="list-style-type: none"> Any initiative that allows the cost of a CIL charge to be staggered, possibly including elements only being due after the development is completed, possibly some years later, would be encouraged by LPCL | A draft instalments policy has been prepared to support the consultation on the draft charging schedule. |

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| <p>How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50)</p> | <ul style="list-style-type: none"> • It is considered that it would have been helpful for the Council to have published a policy at this stage • Notwithstanding this, the consortium welcomes the principle of an instalments policy which would be in line with Planning Practice Guidance (ID-25-055-20140612) • The Instalment Policy should be applicable to all sites • The consortium wish to be clear however that they do not support the instalment Policy incurring an additional overall cost, as paying through instalments does not guarantee improved viability and should not automatically therefore carry a premium, which is suggested in the DVA. | <p>A draft instalments policy has been prepared to support the consultation on the draft charging schedule.</p> |
| <p>Bob Sharples (PDCS8)</p> | <ul style="list-style-type: none"> • This is a difficult question, some smaller developers have cash flow issues compared to large volume house builders, but could take on 'larger' sites providing the up front costs are manageable. | <p>Noted</p> |
| <p>Barton Willmore on behalf of the Cranford Estates Ltd (PDCS 42)</p> | <ul style="list-style-type: none"> • Our Client believes that CEC should adopt a flexible approach to the collection of CIL rates from development proposals, with charges collected in a way which protects the viability of development. | <p>Noted</p> |
| <p>Barton Willmore on behalf of Richborough Estates (PDCS 41)</p> | <ul style="list-style-type: none"> • Whilst our Client supports the approach that liability may be transferred to the developer, they do not support the position that CIL is payable once development has commenced. CIL contributions should be phased. This is because sites can take a number of years to come forward from commencement of works on-site through to completion. • The Council should also make clear within the Schedule that CIL is not applicable to schemes which have obtained outline planning permission before the Charging Schedule comes into effect, and that it does not relate to any | <p>The council has now published a draft instalments policy alongside the draft charging schedule.</p> |

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| | reserved matters permissions obtained after the Charging Schedule is brought into effect. This is clearly set out under CIL Provisional Arrangements and should be reflected within the proposed CIL Charging Schedule. | |
| Cheshire Association of Local Councils (PDCS 31) | <ul style="list-style-type: none"> No. All payments should be paid up front, index linked to ensure delivery of the required infrastructure and the mitigation of the impact of the development upon the exiting communities. | An instalments policy can assist the viability and delivery of development and takes account of financial restrictions on the site. Therefore, it is considered appropriate to consult upon a draft instalments policy alongside the draft charging schedule. The council may revise or withdraw the instalments policy when appropriate. |
| Debbie Jamison (PDCS5) | <ul style="list-style-type: none"> Where a strategic site has been allocated over the threshold of 150 houses then it is not acceptable to phase payment. Instalments may also lead to developers 'landbanking' to maximise profits and not building as quickly as planned. | The draft instalments policy takes account of the phasing of sites. An instalments policy can assist the viability and delivery of development and takes account of financial restrictions on the site. The council may revise or withdraw the instalments policy when appropriate. |
| Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> We would like to see some definitions of when CIL charges would be expected to be paid – before commencement of development, after sale of a new property and before occupation, etc. As we expect to have a 'made' Neighbourhood Plan by the time CIL is introduced, the policy needs to make clear when the Parish Council's 25% share of the CIL payment will be due. The Parish Council would prefer this paid in its entirety in one payment at the time of sale of the property and before occupation. | <p>The draft instalments policy refers to the commencement of sites. Part 4 of the CIL regulations sets out how liability for a levy charge is attributed to the relevant person or people. Charges become due from the date that a chargeable development is commenced. The definition of commencement is the same as that used in planning legislation.</p> <p>The council, on adoption of a CIL charge will set up various governance arrangements regarding the timing of neighbourhood funding payments. Until such time that this is set up, regulation 59D of the CIL regulations specifies that the neighbourhood portion of levy receipts must be paid every 6 months, at the end of October and end of April accordingly.</p> |
| Congleton Town Council (PDCS58) | <ul style="list-style-type: none"> No. All payments should be paid up front, index linked to ensure delivery of the required infrastructure and the mitigation of the impact of the development upon the exiting communities. | An instalments policy can assist the viability and delivery of development and takes account of financial restrictions on the site. Therefore, it is considered appropriate to consult upon a draft instalments policy alongside the draft charging schedule. The council may revise or withdraw the policy when appropriate. |

| <p>5) Do you think that the Council should offer relief for any of the following discretionary criteria? Please include 'appropriate and available' evidence to support the view.</p> <p>a) Land and Infrastructure in Kind b) Relief for exceptional circumstances c) Relief for Charitable Investment Activities d) Any other discretionary relief</p> | | |
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| Name / Organisation | Summary of Issue Raised | Council's Response |
| <p>Nicola Clarke – Holmes Chapel Parish Council (PDCS3)</p> | <ul style="list-style-type: none"> We do consider that if a developer offers anything under a) or c) above, then there should be a mechanism for it to be agreed within the planning framework, before any decisions are made on an application. We would expect that no decisions would be made unless they had the approval of the Parish and were consistent with the policies within the Neighbourhood Plan and the CEC Local Plan. | <p>The draft policies on land and infrastructure in kind and relief for charitable investment activities set out the policy approach on such matters, in line with the CIL regulations.</p> |
| <p>Indigo Planning on behalf of Morris Homes (PDCS 47)</p> | <ul style="list-style-type: none"> Exceptional circumstances - it is a mechanism to enable growth and deliver development where CIL and S106 may conflict. Beyond cost burdens, discretionary relief should also apply to schemes where there is a requirement or aspiration to deliver social and community uses as part of mixed use schemes. Discretionary relief - Cheshire East Council should include discretionary relief for exceptional circumstances to ensure the deliverability and viability of schemes is not threatened. Payment in kind - request the inclusion of a payment in kind policy which allows for land payment in satisfaction of CIL payment in accordance with regulation 73 of the CIL Regulations. | <p>A draft payment in kind policy is consulted upon alongside the draft charging schedule.</p> <p>In proposing the CIL rates, we have had regard to the Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan Strategy requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy will be kept under review.</p> |
| <p>Indigo Planning on behalf of Seddon Homes (PSCS46)</p> | <ul style="list-style-type: none"> SHL support the Council offering CIL relief for land and infrastructure in kind | <p>Noted</p> |

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| <p>Mosiac Town Planning on behalf of Persimmon Homes (PDCS54)</p> | <ul style="list-style-type: none"> The CIL Regulations now allow for Payment in Kind through the provision of infrastructure. However, there remain notable deficiencies in the operation of CIL, caused primarily by the CIL Regulations, which places the Council and the development industry in a difficult position. | <p>Noted</p> |
| <p>Hourigan Connolly on behalf of Anwyll Land, Co-operative Estates, Gladman Developments, Richborough Estates, Stewart Milne Homes and Story Homes (PDCS 55)</p> | <ul style="list-style-type: none"> Payment in Kind - the Consortium is of the view that a formal CIL Payment in Kind Policy Statement is required to support the Charging Schedule. Flexibility and clarity of approach is important. In order to prevent a situation where developers are double charged, the Consortium would also support an approach whereby the Payment in Kind Policy sets out the Council's position on provision of land and infrastructure in lieu of Section 106 contributions. Relief from CIL - The Council should make clear that they will make provision to grant relief from liability to pay CIL in respect of a chargeable development where a specific scheme cannot afford to pay the levy. Regulation 57 of the CIL Regulations (as amended) establishes well defined parameters whereby exceptional circumstances relief can be claimed and therefore would only be applicable in the circumstances when it is needed. | <p>A draft payment in kind policy is included alongside the consultation on the draft charging schedule.</p> <p>In proposing the CIL rates, we have had regard to the Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan Strategy requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy will be kept under review.</p> |
| <p>Mark Robinson, Wrenbury Parish Council (PDCS 26)</p> | <ul style="list-style-type: none"> Land and Infrastructure in Kind - no, this can be included in exceptional circumstances. For example, where the land/infrastructure will facilitate; low cost/affordable housing (to buy, in part or whole), areas that will benefit the restoration or enhancement of natural areas, or areas that will benefit wider existing community. Relief for exceptional circumstances - Yes, but these individual circumstances/cases would have to be agreed with CE AND the Parish Council. Relief for charitable investment activities - No, this can be included in 5b - exceptional circumstances. Given that charitable status is now afforded to the likes of wealth private schools and previous government organisations (e.g. the Canal & Rivers Trust) that still receive government funding it is unfortunately no longer possible to lump all | <p>The council has concluded that an exceptional circumstances policy is not appropriate at this time as the draft charging rates represent an appropriate balance between contributions towards infrastructure and supporting development in the borough.</p> <p>Draft policies on charitable relief are included alongside the consultation on the draft charging schedule.</p> |

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| | <p>charities within the same group.</p> <ul style="list-style-type: none"> Any other discretionary relief - No, this can be included in 5b - exceptional circumstances | |
| Savills on behalf of Wain Group (Himor and Wainhomes), Dewscope, Bloor Homes and Persimmon Homes (PDCS 51) | <ul style="list-style-type: none"> The CIL Regulations now allow for Payment in Kind through the provision of infrastructure. However, there remain notable deficiencies in the operation of CIL, caused primarily by the CIL Regulations, which places the Council and the development industry in a difficult position. | A draft payment in kind policy is included alongside the consultation on the draft charging schedule. |
| Emery Planning on Behalf of Wain Homes, Dewscope and Bloor Homes (PDCS53) | <ul style="list-style-type: none"> Please see above response PDCS 51 | Noted |
| Savills on behalf of Redrow Homes, Barratt Homes, David Wilson Homes, Taylor Wimpey UK and Jones Homes (PDCS49) | <ul style="list-style-type: none"> We urge Cheshire East Council (CEC) to make clear at the earliest opportunity, the supporting documentation needed to operate CIL and to make it available for consultation. The documentation should include: <ul style="list-style-type: none"> Guidance on how to calculate the relevant chargeable development/level of CIL Guidance on liability to pay CIL/Appeals process Policy for payments by instalments Approach to payments in kind Guidance on relief from CIL and a policy on exceptional circumstances for relief from CIL Relief The Consortium would strongly suggest making the discretionary reliefs available, particularly relief for exceptional circumstances. The CIL Regulations now allow for Payment in Kind through the provision of infrastructure. The scope to reduce the CIL liability via utilisation of Payment in Kind is restricted to those items of infrastructure which are not required to mitigate the impact of a development, which for strategic sites would exclude most (if not all) site-specific and 'scheme mitigation' infrastructure. | <p>A draft policies document supports the consultation on the draft charging schedule and includes policies on:</p> <ul style="list-style-type: none"> Instalments Policy Land and infrastructure in kind Relief for charitable investment / social housing activities Any other discretionary relief <p>In proposing the CIL rates, we have had regard to the Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan Strategy requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy will be kept under review.</p> |

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| | <ul style="list-style-type: none"> • Payment in Kind is therefore not a credible option, which further emphasises the need to ensure that the Regulation 123 List does not include any items of infrastructure intended to be delivered through Section 106 agreements on strategic sites. | |
| Axis on behalf of Tata Chemicals Europe (PDCS 21) | <ul style="list-style-type: none"> • Where land and infrastructure is gifted (say to the local authority) as part of a wider development scheme for the wider community benefit it would seem illogical to then charge a levy as part of that process given the obvious benefits afforded. • Charitable investment activities are just that, and the threat of CIL charging could render projects unviable | <p>A draft policies document supports the consultation on the draft charging schedule and includes policies on:</p> <ul style="list-style-type: none"> • Instalments Policy • Land and infrastructure in kind • Relief for charitable investment / social housing activities • Any other discretionary relief |
| Hourigan Connolly on behalf of Story Homes (PDCS 45) | <ul style="list-style-type: none"> • A formal CIL Payment in Kind Policy Statement is required to support the Charging Schedule. • One such example is the re-designed roundabout at Crewe Green. In order to enable the delivery of this key piece of infrastructure, land which falls within the CS 4 allocation is required to be formally adopted as highway land. Story Homes are of the view that the value of this land should therefore be debited against any charge as an in kind payment. • Exceptional circumstances - maximum flexibility should be provided to ensure that the allocated development is not delayed. This should be advertised alongside the future consultation on the Draft Charging Schedule in order to give certainty to stakeholders. | <p>A draft policies document supports the consultation on the draft charging schedule and includes policies on instalments and other matters.</p> <p>In proposing the CIL rates, we have had regard to the Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures, and meeting Local Plan Strategy requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy will be kept under review.</p> |
| Axis on behalf of EDF Energy (PDCS20) | <ul style="list-style-type: none"> • See comment (PDCS 21) above | Noted |
| Barton Willmore on behalf of the Crown Estate (PDCS 18) | <ul style="list-style-type: none"> • The Crown Estate would welcome the implementation of payments in kind in lieu of direct CIL payments, where appropriate, and where a specific need is identified | Noted |
| Knutsford Conservation and | <ul style="list-style-type: none"> • KCHG considers that relief for discretionary criteria is simply part of the “appropriate balance” issue, for which it is | On review of the CIL charging rates in the draft charging schedule, it is considered appropriate at this time to consult on the following policies: |

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| Heritage Group (PDCS 13) | <p>therefore necessary for the appropriate CIL charging rate to be set, monitored and reviewed as required.</p> <ul style="list-style-type: none"> To KCHG the nature of such relief might allow unfortunate and unwelcome scope for misinterpretation. | <ul style="list-style-type: none"> • Instalments Policy • Land and infrastructure in kind • Relief for charitable investment / social housing activities • Any other discretionary relief |
| DPP on behalf of Argonaught Holdings Limited (PDCS44) | <ul style="list-style-type: none"> • A common criticism of CIL is that it cannot be applied with flexibility or sensitively when situations like those described apply. As such ensuring that the charging schedule takes account of this type of potential issue and sets out how it will react would be encouraged. | Noted |
| How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50) | <ul style="list-style-type: none"> • CIL Regulations permit authorities to accept land transfer and / or construction of infrastructure as payment for all or part of the levy. Such an approach would allow, for example, for the transfer of land to the Council or for infrastructure to be delivered by the developer rather than the Council in appropriate circumstances. • This is particularly important for encouraging long-term land owners like landed estates to bring forward development but when they want to retain ownership and control, and should include mechanisms to independently value leasehold gifts and subsidy mechanisms as well as the full remit of onsite and offsite infrastructure including open space and not just freehold land disposals. It is considered that • CEC should seek to include a CIL Payment in Kind policy which should form part of the next stage of consultation. Clarification should be provided in future CEC CIL documents as to how the Payment in Kind would work in the context of Neighbourhood Plan areas receiving 25% of the planning levy on new developments. • Allowing relief in appropriate circumstances will lessen the potential for CIL preventing development from coming forward. It would be appropriate for the exemptions to include custom build, rather than just self-build. • The consortium believes it is a sensible approach to introduce policies which allow relief from liability and ongoing maintenance, and that the Council should clarify the position | <p>A draft policies document supports the consultation on the draft charging schedule and includes policies on:</p> <ul style="list-style-type: none"> • Instalments Policy • Land and infrastructure in kind • Relief for charitable investment / social housing activities • Any other discretionary relief |

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| | <p>at the Draft Charging Schedule consultation stage, so that it can be fully considered as CIL progresses.</p> <ul style="list-style-type: none"> • There should however be safeguards to prevent relief being granted to charities or public sector land owners to prevent crowding out of the private sector and ensure a level playing field is maintained. Charities, public and private landowners alike should be allowed access to reliefs on an equal basis where the scheme itself requires it to deliver public benefits, rather than any possible proceeds. As detailed in the response to Question 3 above, the consortium considers that in certain circumstances it will be appropriate for relief to be afforded to strategic sites. | |
| Bob Sharples (PDCS8) | <ul style="list-style-type: none"> • Charities and not for profit organisations, tend to have the interests of sections/local communities at the heart of their work. | Noted |
| Highways England (PDCS36) | <ul style="list-style-type: none"> • In the interests of future flexibility in funding and delivery, Highways England would welcome the position which Cheshire East Council may be able to adopt in accepting infrastructure 'in kind' as well as through monied transfers | The council is consulting on a draft payment in kind policy alongside the draft charging schedule. |
| Debbie Jamison (PDCS5) | <ul style="list-style-type: none"> • There should be some room for 'payment in kind' but the specification of such must be agreed within the conditions of planning permission being granted, otherwise the quality of any infrastructure may be compromised. | The council is consulting on a draft payment in kind policy alongside the draft charging schedule. |
| Congleton Town Council (PDCS58) | <ul style="list-style-type: none"> • No. Where a development proposal has an impact or demand upon existing infrastructure then payment at the standard rate should be paid. Consideration may be given to zero rating brownfield land within the urban areas. | Consideration of the viability of charging CIL is a key element of the charging schedule, in line with the CIL regulations. |

| 6) Do you have any views on the content of the Council's initial Draft Regulation 123 list and the proposed balance between CIL and S.106? | | |
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| Name / Organisation | Summary of Issue Raised | Council's Response |
| Nicola Clarke – Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> • While this list is consistent with the identified areas in the published Infrastructure Delivery Plan, it takes a 'helicopter' view of the whole area of Cheshire East • There should be a clear relationship between the CEC Regulation 123 List and similar lists that each Parish and Town Council should generate. • Transport - There is a reference to a 'Relief Road' for Holmes Chapel in the saved policies of the Congleton Borough local plan. There is work underway on developing a business plan to support a 'relief road' for Middlewich. Neither of these is mentioned as potential projects to be funded by CIL. • There is nothing in the list that seems aimed at Local Service Centres or any of the rural areas of Cheshire East • Energy –CIL could be used for projects that provide energy from either wind or solar sources. • Community Facilities –There could be projects that provide community facilities that support a wider number of local residents than those just within a Parish or Town • Recreation and Sporting Facilities – It should be possible to seek CIL funding for these facilities that may not be on CEC owned properties. • Green Infrastructure – Many areas of Cheshire East are bereft of open space and amenity open space. It should be possible to seek CIL funding for these facilities. | <p>The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy. The council has prepared an 'infrastructure projects document' which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>The council is currently preparing the second part of the local plan, the site allocations and development policies document. This will consider in more detail the infrastructure requirements needed to support development in Local Service Centres, as required.</p> |
| Karen Tomlinson (PSCS22) | <ul style="list-style-type: none"> • Issues with the balance of S.106 and CIL. Reference to Disley School as an example of when appropriate S.106 contributions were not received. • In the regulation 123 list - educational provision only qualifies for CIL on certain projects which certainly are not flexible enough to meet the needs of all of the communities | <p>Noted. CIL as a funding mechanism will sit alongside section 106 and other forms of developer contributions that meet the tests of the CIL regulations. This is supported by the Local Plan Strategy policies IN1 (infrastructure) and IN2 (developer contributions).</p> |

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| | <p>it is designed to benefit.</p> <ul style="list-style-type: none"> Schools provide opportunities for leisure and sport activities out of hours and often suffer from a lack of funding | |
| Indigo Planning on behalf of Morris Homes (PDCS 47) | <ul style="list-style-type: none"> A list of specific infrastructure is fundamental to understanding the need for CIL contributions and the impact of CIL on an individual scheme (PPG, Ref ID: 25- 028-20140612). The council has produced an Initial Draft Regulation 123 List which is based upon the infrastructure projects or types set out in the Infrastructure Delivery Plan (July 2016 Update) to include items that will support growth identified in the emerging Local Plan Strategy for the period (2010- 2030). We therefore support this element of the PDCS. There should be transparency on what a charging authority intends to fund in whole or in part through the levy and those matters where s106 contributions may continue to be sought. Worth noting the Government’s intention to consider a new approach to developer contributions, as announced in the Report by the CIL Review Team (October 2016) and the Housing White Paper (February 2017). | <p>The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>The draft charging schedule recognises that government announced that any changes to the operation of CIL will be announced in the 2017 autumn statement. The Council will keep its position on CIL under review and will respond to any changes in its operation as and when appropriate.</p> |
| Audlem Parish Council – Kirstin Dixon (PDCS25) | <ul style="list-style-type: none"> Road safety improvements required as a consequence of developments in rural areas could be funded via CIL | <p>The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy. The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards.</p> |
| Liz Osborn, Poynton Town Council (PDCS 38) | <ul style="list-style-type: none"> Poynton Town Council has to express major disappointment that no CIL funding is to be allocated to the Poynton area based on the regulation 123 listing. It is requested that consideration be given to supporting the preparation of a Town Infrastructure Plan to consider the impact of the proposed development In terms of the balance between CIL and section 106, the Town Council considers that heavy reliance will still be | <p>The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy. The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>CIL as a funding mechanism will sit alongside section 106 and other forms of developer contributions that meet the tests of the CIL regulations. This is supported by the Local Plan Strategy policies IN1 (infrastructure) and IN2</p> |

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| | <p>needed on section 106 and other developer led funding should the three strategic sites proceed.</p> <ul style="list-style-type: none"> • The Town Council can also express concern at the lack of CIL in some areas as evidenced by the list of exclusions including biodiversity and green infrastructure. | (developer contributions). |
| <p>Mark Robinson, Wrenbury Parish Council (PDCS 26)</p> | <ul style="list-style-type: none"> • We believe that Wrenbury should be added to this list. The Parish is adequately provided with primary services in the village such as a shop, medical centre, pubs, church and some public transport. However, there are issues including <ul style="list-style-type: none"> ○ Pinch point traffic alleviation (e.g. traffic lights or electronic warning systems) and weight limits ○ Junction and drainage improvements ○ Public transport ○ Under "Energy" - CIL funding could help to address the frequent electrical outages that the Parish suffers from. ○ Under "Water" - In the same manner that CIL assists with Transport can it not assist with flooding issues? ○ Under "ICT/Digital" - the wider Parish is subject to very low internet speed (below the benchmark 2mbps) with very patchy 3/4G mobile coverage ○ Under community and recreation Facilities CIL could be used to help with the maintenance of existing facilities. ○ Improve/create new public rights of way | <p>The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy. The council has prepared an 'infrastructure projects document' which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>The council is currently preparing the second part of the local plan, the site allocations and development policies document. This will consider in more detail the infrastructure requirements needed to support development in Local Service Centres, as required.</p> |
| <p>Savills on behalf of Wain Group (Himor and Wainhomes), Dewscope, Bloor Homes and Persimmon Homes (PDCS 51)</p> | <ul style="list-style-type: none"> • We would advise the Council against seeking contributions towards generic infrastructure items such as 'extensions and improvements to primary and secondary schools' and 'public rights of way creation and enhancement', this opens up potential for 'double dipping' if developers are also charged similar contributions within S106 Agreements. We would advise that any Regulation 123 List should contain specific items of infrastructure only, of which CIL contributions can be sought for. | Noted |

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| <p>Emery Planning on Behalf of Wain Homes, Dewscope and Bloor Homes (PDCS53)</p> | <ul style="list-style-type: none"> • Education (primary and secondary schools) We do not consider it reasonable that a development in, for example, Knutsford could under the drafted S123 list be required to contribute (through CIL) to new schools in Macclesfield, Congleton and Handforth, in addition to an education contribution through a S106 for early years and / or primary and / or secondary education. • We would advise the Council against seeking contributions towards generic infrastructure items such as ‘extensions and improvements to primary and secondary schools’ and ‘public rights of way creation and enhancement’, this opens up potential for ‘double dipping’ if developers are also charged similar contributions within S106 Agreements. We would advise that any Regulation 123 List should contain specific items of infrastructure only, of which CIL contributions can be sought for. | <p>The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards. The regulation 123 list has been revised, following the consultation on the preliminary draft charging schedule and avoids the potential for ‘double dipping’.</p> |
| <p>Savills on behalf of Redrow Homes, Barratt Homes, David Wilson Homes, Taylor Wimpey UK and Jones Homes (PDCS49)</p> | <p>The Consortium considers it imperative that the evidence supporting CIL:</p> <ul style="list-style-type: none"> • Clearly outlines the key infrastructure projects required to support development (this being a key test of the Regulations); and • Produces an up to date, consistent and well informed evidence base of economic viability in order to test various development typologies against CIL rates. • The Consortium would advise that any amendments to the adopted Reg 123 list are adequately consulted on with members of the public in due course. • The Consortium broadly anticipates a Section 106/278-led approach to the delivery of Strategic sites, notably given the considerable amount of site-specific infrastructure, which is directly related to such developments • The Consortium strongly believes that Section 106 agreements only should be used on strategic sites with a £0 psm residential CIL rate applied. There is both planning and viability justification for this. Such an approach would provide clarity in terms of the infrastructure delivery | <p>The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>A position statement on the approach to CIL and S.106 agreements has been prepared to support the consultation on the draft charging schedule.</p> |

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| | <p>mechanism and also ensure its delivery in a timely manner through bespoke Section 106 agreements. The risk of ‘double dipping’ would be removed through a clear demarcation between CIL and Section 106</p> <ul style="list-style-type: none"> • Historic S.106 agreement - the Council has outlined that the viability appraisals incorporate an assumption of £4,000 per dwelling however there is no evidence provided which supports this assumption. | |
| Axis on behalf of Tata Chemicals Europe (PDCS 21) | <ul style="list-style-type: none"> • The Draft Regulation 123 List is based upon the infrastructure projects set out within the Infrastructure Delivery Plan and accordingly seems logical and reasonable. There are no projects on the list which appear unreasonable. | Noted |
| Hourigan Connolly on behalf of Story Homes (PDCS 45) | <ul style="list-style-type: none"> • Story Homes is concerned that the Council has only published very limited information on the operation of CIL, and stress that the documentation outlined below should be available at the earliest opportunity. | The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards. |
| Axis on behalf of EDF Energy (PDCS20) | <ul style="list-style-type: none"> • The Regulation 123 List appears to be based upon that within the Infrastructure Delivery Plan. There are no projects listed which appear unreasonable. | Noted |
| Barton Willmore on behalf of the Crown Estate (PDCS 18) | <ul style="list-style-type: none"> • The Crown Estate notes that the Draft Regulation 123 list does not include the ‘priority 2’ transport projects in Knutsford, identified in the Council’s Infrastructure Delivery Plan (IDP) (July 2016). Namely the A50 between the junction with A5033 (Northwich Road) and junction with Adams Hill – widening; and the A5033/A50 roundabout junction improvements. However, the IDP confirms that these projects are to be part funded by development, and part funded by CIL. • Indeed, The Crown Estate is fully aware of its obligation under criterion ‘o’ of Site Policy CS18 to contribute to road infrastructure in the vicinity of its Sites, which can be secured by way of a Section 106 agreement. • Having regard to the importance of delivering infrastructure to support new development we would request that the | <p>Noted, the regulation 123 list has been revised following the consultation on the preliminary draft charging schedule focusing on priority 1 transport schemes identified in the infrastructure delivery plan.</p> <p>Contributions for those items not on the regulation 123 list will be sought by way of planning obligations such as S.106 agreement.</p> |

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| | <p>'priority 2' transport projects in Knutsford, as per the IDP are included on the Regulation 123 list.</p> | |
| <p>Knutsford Conservation and Heritage Group (PDCS 17)</p> | <ul style="list-style-type: none"> • To KCHG it appears there is unexplained and questionable logic between CEC's Initial Draft Regulation 123 List and the proposed balance of CIL exclusions to be funded by sections 106, 278 and other means. • CEC's Initial Draft Regulation 123 List includes only two Knutsford highways improvement schemes (junction improvements at A537 Adams Hill and at Brook Street / Hollow Lane). • However, CEC's Infrastructure Delivery Plan Update of July 2016 records CEC Highways responsibility for those two schemes, noted as Priority 1, together with additional schemes noted as Priority 2 (A50 between junctions with A5033 and Adams Hill – widening; A5033/A50 roundabout junction improvements; and Mobberley Road/ Parkgate Lane junction improvements). • The Knutsford Neighbourhood Plan Getting Around Working Group is in discussion with CEC about highways improvements in Knutsford, involving consideration of these schemes (and others), as part of the emerging Knutsford Neighbourhood Plan. To KCHG it would be most unfortunate if there is uncertainty as to the funding of these schemes, which should be funded through CIL. • With M6 J19 improvement (for which Highways England/ CEC Highways/ Local Enterprise Partnership have responsibility), all the total of six schemes are prima facie necessary for the LPS to be considered "sound" by the Planning Inspector LPS Examination Chairman. (His decision on LPS soundness is awaited.) | <p>The Local Plan Strategy is now adopted. The regulation 123 list has been revised following the consultation on the preliminary draft charging schedule focusing on priority 1 transport schemes identified in the infrastructure delivery plan. The council has prepared an 'infrastructure projects document' which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>CIL as a funding mechanism will sit alongside section 106 and other forms of developer contributions that meet the tests of the CIL regulations. This is supported by the Local Plan Strategy policies IN1 (infrastructure) and IN2 (developer contributions).</p> <p>Contributions for those items not on the regulation 123 list will be sought by way of planning obligations such as S.106 agreement</p> |
| <p>DPP on behalf of Argonaught Holdings Limited (PDCS44)</p> | <ul style="list-style-type: none"> • A strategic site which gives rise to the need for new infrastructure should be expected to contribute more towards said infrastructure than a smaller development elsewhere which is also caught by CIL. This reflects the point just made that there are benefits in keeping the bias more towards s106 contributions than CIL. | <p>Noted</p> |

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| <p>How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50)</p> | <ul style="list-style-type: none"> • The 123 List also identifies a number of exclusions to be secured potentially through S106, S278 or other means once CIL has been adopted. The 123 List has been prepared based on the Council's Infrastructure Delivery Plan (IDP) (July 2016 Update). The 123 List identifies various categories which could be funded through CIL. These categories are considered to be appropriate in principle, falling within the definition of Infrastructure as defined by Section 216 of The Planning Act 2008 (as amended). • The consortium considers the IDP is an essential piece of evidence required to inform the 123 List. There appears however to be some notable differences between the IDP and the 123 List. For example, the 123 List includes the Sydney Road Bridge and improvements to Crewe Green roundabout, Crewe as being potentially funded through CIL, yet the IDP suggests there is currently no funding gap; similarly, the A534 Old Mill Road junction improvements in Sandbach are identified as having no funding gap in the IDP. CIL would not be required in these instances. • The IDP also details that the cost of several infrastructure schemes is currently unknown. This includes additional car parking at Crewe Railway Station which nevertheless is included in the 123 List. Where such matters are unknown they cannot form part of the justification for the introduction of CIL. • The 123 List also includes a 'General' category, covering 'Strategic public transport / non-car links, facilities and service provision (i.e. rail, bus, cycling & pedestrian' and also 'Canal towpath improvements'). There is no information in the 123 List which identifies specifically where such improvements would be required which should be provided. Furthermore, improvements to walking and cycling infrastructure are identified as the lowest priority in the IDP (Priority 3), which suggests that there are other priorities which CIL should target (for example on a number of Priority 2 projects not currently included on the 123 List). | <p>Noted. The regulation 123 list has been revised following the consultation on the preliminary draft charging schedule focusing on priority 1 transport schemes identified in the infrastructure delivery plan. The infrastructure projects document, alongside the draft charging schedule, sets out more details on the schemes listed in the regulation 123 list. The S.106 and CIL position statement sets out the relationship between CIL and S.106 obligations following the adoption of CIL.</p> |
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| | <ul style="list-style-type: none"> • Under Education, four housing allocations are identified which would potentially benefit from CIL funds. It is unclear why these four sites have been selected, given that the IDP considers a much larger number. • Health is also identified on the 123 List, but although the IDP identifies requirements in sub-areas across the Borough, the 123 List does not include any specific locations. CIL Regulations require clarity about the types of infrastructure that the Council intends to use CIL receipts for, so that any other matters that may be secured through a S106 agreement or other such means are apparent. The consortium considers that the 123 List should be revised to provide greater clarity and should accord precisely with an up to date IDP. The consortium also believes that when updating the IDP, further consideration should be given to the infrastructure identified and the priority afforded to each project, to ensure the most important projects are delivered. | |
| <p>Bollington Neighbourhood Plan (PDCS 57)</p> | <ul style="list-style-type: none"> • We wish to see Highway Improvements to Bollington included in the Regulation 123 list. Road safety and parking were identified as issues of great concern to the community in our Neighbourhood Plan Questionnaire. | <p>The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy. The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards.</p> <p>The council is currently preparing the second part of the local plan, the site allocations and development policies document. This will consider in more detail the infrastructure requirements needed to support development in Local Service Centres, as required.</p> |
| <p>Highways England (PDCS36)</p> | <ul style="list-style-type: none"> • It is noted that an infrastructure funding gap has been identified derived from evidence collated through your Infrastructure Delivery Plan. Once a levy has been agreed and formally adopted would it be your Council's intention to monitor this funding gap on an annual or similar timetable? This could assist the Highways England moving forward in appraising joint funding possibilities. | <p>The Council will monitor the implementation of CIL in line with the requirement of the regulations. This will be through the authority monitoring report. The Local Plan Strategy monitoring indicator (MF1 – provision of infrastructure) will be used to monitor progress on priority infrastructure schemes in the Infrastructure Delivery Plan.</p> |

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| Knutsford Town Council (PDCS35) | <ul style="list-style-type: none"> • The Town Council is not certain of how s106 obligations and Community Infrastructure Levy will work together. • Sports and Leisure facilities in Knutsford are in need of investment. • The Town Council notes the inclusion of improvements for Hollow Lane on the s123 list. These are already covered by an existing s106 agreement | The Council has prepared a position statement on the relationship of CIL and S.106 agreements on the adoption of CIL. The regulation 123 list has been informed by the evidence in the infrastructure delivery plan which supports the Local Plan Strategy. |
| Canal and Rivers Trust (PDCS34) | <ul style="list-style-type: none"> • The Trust supports the proposed Draft CIL Charging schedule and we welcome the inclusion of canal towpath improvements on page 21 of the document for the type of project that would be funded through CIL. We note that S106 planning obligations would still be able to be used for off-site mitigation in relation to ‘site related pedestrian, cycle or bus facilities / service provision.’ Towpath improvements could be said to fall within this definition. We suggest that where an improvement/mitigation is required to make the development acceptable, it should be secured by s106 in order to provide more certainty that it would be delivered. We would welcome this being clarified within the documentation. | Canal towpaths are included on the regulation 123 list and therefore on the adoption of a CIL charge, S.106 planning obligations could not be sought towards canal towpath improvements. |
| Cheshire Association of Local Councils (PDCS 31) | <ul style="list-style-type: none"> • It is not clear what ‘site specific items’ will be covered by S.106 as opposed to CIL. | The Council has prepared a position statement on the relationship of CIL and S.106 agreements on the adoption of CIL. |
| Cllr Les Gilbert, Cheshire East Council (PDCS23) | <ul style="list-style-type: none"> • I propose the addition of a Holmes Chapel east-west bypass to the list. When the Middlewich and Congleton relief roads have been built, Holmes Chapel will be in the middle of the east-west route of choice from Winsford and beyond to Congleton, Macclesfield and beyond. This will exacerbate the existing congestion and make the Village an even bigger bottleneck. | Noted. The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy. The council has prepared an ‘infrastructure projects document’ which details those infrastructure elements that CIL will potentially contribute towards. |
| Debbie Jamison (PDCS5) | <ul style="list-style-type: none"> • S106 is site specific and as such is very limiting when the housing growth is so grand and most certainly will increase demand on the wider area facilities. • The spirit of the NPPF is that developers should be encouraged to contribute to a far wider type of | The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy and lists those infrastructure items necessary at this time to support the Plan’s proposals. The council has prepared an ‘infrastructure projects document’ alongside the consultation on the draft charging schedule which details those infrastructure elements that CIL will potentially contribute |

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| | <p>infrastructure to enable communities to be created for people to live and play.</p> <ul style="list-style-type: none"> • The CIL project list should be expanded to include at least one major 'community' infrastructure project for each KSC. At present the 123 list it appears to only list highway and contribution to education & Health. • Knutsford should have a CIL123 listed project relating to the public leisure centre. | towards. |
| Natural England (PDCS27) | <ul style="list-style-type: none"> • Natural England is not a service provider, nor do we have detailed knowledge of infrastructure requirements of the area concerned. However, we note that the National Planning Policy Framework Para 114 states “Local planning authorities should set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.” We view CIL as playing an important role in delivering such a strategic approach. • As such we advise that the council gives careful consideration to how it intends to meet this aspect of the NPPF, and the role of the CIL in this. In the absence of a CIL approach to enhancing the natural environment, we would be concerned that the only enhancements to the natural environment would be ad hoc, and not deliver a strategic approach, and that as such the local plan may not be consistent with the NPPF. • Potential infrastructure requirements may include: <ul style="list-style-type: none"> • Access to natural greenspace. • Allotment provision. • Infrastructure identified in the local Rights of Way Improvement Plan. • Infrastructure identified by any Local Nature Partnerships and or BAP projects. • Infrastructure identified by any AONB management plans. • Infrastructure identified by any Green infrastructure strategies. • Other community aspirations or other green | Noted, the Council has given careful consideration to those items included on the regulation 123 list, primarily focused on the Infrastructure Delivery Plan produced to support the delivery of the proposals contained within the Local Plan Strategy. |

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| | <p>infrastructure projects (e.g. street tree planting).</p> <ul style="list-style-type: none"> • Infrastructure identified to deliver climate change mitigation and adaptation. • Any infrastructure requirements needed to ensure that the Local Plan is Habitats Regulation Assessment compliant (further discussion with Natural England will be required should this be the case.) | |
| Dr Sarah Anderson (PDCS4) | <ul style="list-style-type: none"> • It is not always possible to clearly identify the impact of a specific development, and separate it from the cumulative impact of a number of developments. Towns and villages need to develop a list of required infrastructure improvements and developers need to contribute to this through CIL. So it seems totally inappropriate to exclude the following from CIL: water and waste management, education, community facilities, green infrastructure. Provided CIL is set at a sensible rate such that it will deliver a predictable and reasonable income stream, it should be the primary source of funding for infrastructure. But this should be accompanied by a larger % being used for the town's infrastructure, not syphoned off to some other priority in the borough. | <p>Noted, the Council has given careful consideration to those items included on the regulation 123 list, primarily focused on the Infrastructure Delivery Plan produced to support the delivery of the proposals contained within the Local Plan Strategy.</p> <p>The council has prepared an 'infrastructure projects document' alongside the consultation on the draft charging schedule which details those infrastructure elements that CIL will potentially contribute towards.</p> |
| Congleton Town Council (PDCS58) | <ul style="list-style-type: none"> • It is not clear what 'site specific items' will be covered by S.106 as opposed to CIL. The division between CIL and S106 is confusing. The majority of the Regulation 123 list appears to be for new highway works however funding for education and health facilities are key in many communities. There is also a need to address existing traffic congestion across the Borough and the promotion of sustainable transport such as cycling and walking. | <p>The Infrastructure Delivery Plan supports the strategic proposals within the Local Plan Strategy and lists those infrastructure items necessary at this time to support the Plan's proposals. The council has prepared an 'infrastructure projects document' alongside the consultation on the draft charging schedule which details those infrastructure elements that CIL will potentially contribute towards.</p> |

| 7) Do you have any other comments on the Preliminary Draft Charging Schedule? | | |
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| Name / Organisation | Summary of Issue Raised | Council's Response |
| Nicola Clarke – Holmes Chapel Parish Council (PDCS3) | <ul style="list-style-type: none"> The charging Zone Map in Appendix B is very unclear and 'zooming in' does not allow us to see clearly where Zone 1 applies. It does not seem to follow the current Settlement Zone boundary. There are 'spaces' of land within Zone 1 which may in the future come forward for development, but the proposed rules for CIL say that CIL payments will not apply for these. It is recommended that the CIL Charging Proposals include words that allow for CIL charging at the zone 4 rate for these spaces. We would expect to be consulted and agree where these spaces are located to update the registered zone 1 and zone 4 boundaries. | <p>The urban areas are defined by the settlement boundaries (settlement boundary and / or green belt boundary) in the legacy Crewe and Nantwich, Congleton and Macclesfield Borough Local Plans as updated by the CIL position on Local Plan Strategy strategic sites.</p> <p>To support the consultation on the Preliminary Draft Charging Schedule, more detailed plans were produced which split the borough into 3 separate areas.</p> <p>It is acknowledged that settlement boundaries are to be reviewed as part of the development of Part 2 of the Local Plan (the Site Allocations and Development Policies document). Any changes to settlement boundaries, supported by evidence, will be reflected in future reviews of the CIL Charging Schedule.</p> |
| Bob Anderson Local Access Forum (PDCS2) | <ul style="list-style-type: none"> Whilst it is not the role of the Forum to comment on the actual charging rates, the Forum is keen to take this opportunity to stress the importance of access to the countryside for the purposes of leisure walking, cycling and horse riding, for active travel, and in recognition of the value this access to the Quality of Place of the Borough. Although countryside access is not specifically referenced in the document, it appears that under the proposed scheme, such access could be secured through both the CIL and s106 processes, depending on whether the access is considered strategic or site-related in nature. For this reason, the Forum would be generally supportive of the overall aims of the proposed schedule. | Noted |
| Karen Tomlinson (PSCS22) | <ul style="list-style-type: none"> The grading of settlement area of Disley to CIL grading band £0 is not appropriate CIL and S. 106 funding needs to be looked at carefully with some flexibility in the system to address the needs of local communities in a timely and sufficient fashion. | The proposed CIL Charging rates have been established on the basis of viability evidence in line with the CIL regulations. |

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| Savills on behalf of Triton Property Fund (PDCS 48) | <ul style="list-style-type: none"> • The Triton Property Fund is a long term stakeholder in Crewe and the wider Borough. • There is a stated aspiration from the Council to enhance links between the town centre and the Grand Junction Retail Park to create a more cohesive commercial offer within the wider town centre. The proposed CIL Charging Schedule is considered to pose a serious risk to the delivery of future development to the detriment of the town and the wider policy objectives for economic growth | |
| Barton Willmore on behalf of Trafford Housing Trust (PDCS60) | <ul style="list-style-type: none"> • Government intends to review CIL. • No draft timetable for adoption of CIL has been prepared; indicative timescales are required to be provided to ensure that landowners and developers are aware of when the Charging Schedule will be implemented. | <p>A timetable has been prepared for CIL. Following consultation on the draft Charging Schedule, an examination on the CIL Charge is expected by the end of 2017 and the adoption of a future CIL Charge expected in the first quarter of 2018.</p> <p>The council is aware of the stated government intention to review CIL and will keep its programme under review in line with any future changes to the operation of the CIL charging regime.</p> |
| Indigo Planning on behalf of Seddon Homes (PSCS46) | <ul style="list-style-type: none"> • CEC should better define the boundary between Charging Zones. The Schedule does not however define what is meant by 'built up' and where the boundary is between the different zones. • It cannot mean the existing settlement boundaries as these are out of date and will be defined through the forthcoming Site Allocations DPD | The draft Charging Schedule is supported by map(s), on an OS base, indicating the boundaries of the charging zones. |
| Audlem Parish Council – Kirstin Dixon (PDCS25) | <ul style="list-style-type: none"> • Audlem Parish Council supports the introduction of CIL. Audlem has a made Neighbourhood Plan and looks forward to receiving its 25% allocation. | Noted |
| Liz Osborn, Poynton Town Council (PDCS 38) | <ul style="list-style-type: none"> • The Town Council expresses surprise at some of the charges proposed but lacks the evidence to propose any specific changes up or down the charging rates. | Noted |
| Turley Associates on | <ul style="list-style-type: none"> • The Parties request that a review of CIL should be undertaken upon adoption, a review period of circa 2-3 | Noted |

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| <p>behalf of W&S Sandbach Limited and Ainscough Strategic Land (PDCS56)</p> | <p>years is suggested.</p> | |
| <p>Emery Planning on Behalf of Wain Homes, Dewscope and Bloor Homes (PDCS53)</p> | <ul style="list-style-type: none"> • We consider that some forms of development which should reasonably be CIL exempt have been excluded from the current list. The following exemptions should be added: <ul style="list-style-type: none"> ○ The conversion of any building previously used as a dwelling house to two or more dwellings (sub-division of existing dwelling); ○ Changes of use that do not increase floorspace; and ○ Buildings with temporary planning permissions. • Neighbourhood portion of the Levy Paragraph 3.7, the following wording (in bold) should be added: “...capped at £100 per existing council tax dwelling to be spent on local priorities.” | <p>The CIL regulations are clear on the exemptions from CIL. The Council has produced a CIL policies document setting out policies for the future implementation of a CIL Charge.</p> |
| <p>Savills on behalf of Redrow Homes, Barratt Homes, David Wilson Homes, Taylor Wimpey UK and Jones Homes (PDCS49)</p> | <ul style="list-style-type: none"> • The Consortium requests that regular monitoring is undertaken with a review period of between 2-3 years from adoption, or sooner if there is a substantive change in market conditions or Central Government policy. | <p>Noted</p> |
| <p>Wybunbury Parish Council (PDCS 39)</p> | <ul style="list-style-type: none"> • It would appear that the areas subject to most development pressure in the Borough to the south and thus pressure on the existing infrastructure are those areas where no charge is to be levied. This appears counter intuitive. • Furthermore by imposing relatively high tariffs on development in the north then this could divert | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations.</p> <p>The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge to be adopted by Cheshire West and Chester Council to be implemented from September 2017 onwards.</p> |

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| | <p>development to areas in the south where no charge is levied.</p> <ul style="list-style-type: none"> Cheshire West and Chester impose a flat charge of £135 per dwelling in Chester and the rural area but charge £0 in Ellesmere Port, Northwich, Winsford and Blacon urban areas. Support for this approach stated. | |
| Derbyshire County Council (PDCS 37) | <ul style="list-style-type: none"> No comments to make | Noted |
| Barton Willmore on behalf of the Crown Estate (PDCS 18) | <ul style="list-style-type: none"> The Crown Estate supports the Council’s decision to set the CIL rate for employment related uses at ‘nil’ | Noted |
| Knutsford Conservation and Heritage Group (PDCS 17) | <ul style="list-style-type: none"> The Local Plan is a significant opportunity for CEC, in facilitating development through Spatial Planning, to make real and sometimes overdue improvements to the Borough’s infrastructure provision, partly including through CIL funding. It is regrettable that Knutsford Community Groups [CGs] have not yet been invited to be involved in that “conversation”, nor were the CGs amongst the “wide range of stakeholders ... consulted throughout the evidence gathering process” (para 1.4), (unless such consultation is meant to relate to the LPS rather than preparation for a CIL charge). “Zone 3” is the built up areas of Knutsford and elsewhere. But the maps of those areas seem inconsistent in respect of proposed LPS sites, even in relation to Knutsford: <ul style="list-style-type: none"> NW Knutsford (Sites CS 18(A), (B) and (C)) is depicted currently as in Zone 5; Parkgate Extension (Site CS 19) is depicted as in Zone 3; Land south of Longridge (Site CS50) is depicted as in Zone 5. | The draft charging schedule consultation provides a CIL rate for all local plan strategy sites supported by viability testing of an appropriate selection of sites alongside updated market evidence. |

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| <p>DPP on behalf of Argonaught Holdings Limited (PDCS44)</p> | <ul style="list-style-type: none"> • If a CIL charging regime is to be introduced, LPCL, would encourage the charging schedule to make provision for situations when it accepted by the Council that either the full effects of the charging schedule will not be applied or a reduce levy will be applied. | <p>Noted.</p> |
| <p>Savills on behalf of Eskmuir Securities (PDCS 43)</p> | <ul style="list-style-type: none"> • Eskmuir support the recognition that retail development within town centres (i.e. outside of Retail Zone 1) should not attract any charge (£Nil/sqm) in an effort to encouraging investment in town centres, such as Macclesfield, as supported by national and local planning policy – both the existing development plan and emerging through the CELP. It is important CEC does all it can to enable development within town centres and a £Nil/sqm charge will remove a potential barrier to the viability and delivery of town centre retail schemes. • Eskmuir is concerned that the identification of Retail Zone 1 specifically at Handforth Dean is premature and implies the acceptance, in principle, of out of town retail in this location. • Eskmuir is concerned that the identification within the PDCS provides an underlying assumption that planning permission and retail development will be forthcoming in this location. While we note CIL is not a tool for assessing the principles of land use, it does nonetheless raise issues of concern. • Eskmuir consider there may be potential for a clearer strategy to be adopted that would instead ‘zone’ all centres (of the Principal Towns, Key Service Centres and Local Service Centres), with the implication that anything within the zone would not attract a charge (i.e. £Nil/sqm), while anything outside the centre zones would be subject to a CIL charge that reflects viability. | <p>The CIL rates are set on the basis of viability evidence in line with the requirements of national guidance and the CIL regulations. CIL is not a policy tool.</p> |

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| <p>How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50)</p> | <ul style="list-style-type: none"> The consortium considers that the 123 List leaves too many unknowns at this stage which would need to continue to be dealt with by S106 agreements. It should provide greater certainty and transparency as per its purpose, which is set out at paragraph 3.6 of the consultation document. | <p>The infrastructure projects document and CIL and S.106 position statement set out further clarification on such matters.</p> |
| <p>Bollington Neighbourhood Plan (PDCS 57)</p> | <ul style="list-style-type: none"> We disagree strongly with the grading of the settlement area of Bollington as Zone 1 with a CIL rate of zero whilst Prestbury, Alderley Edge, Wilmslow, Knutsford and Poynton are graded as Zone 3 with a CIL rate of £88 / square metre. This is not justified | <p>The designation of CIL rates is made on the basis of viability evidence.</p> |
| <p>Willaston Neighbourhood Plan (Maurice Jones) (PDCS40)</p> <p>And</p> <p>Willaston Parish Council (PDCS6)</p> | <ul style="list-style-type: none"> For the avoidance of doubt and to assist understanding, it would have been helpful if the CIL Preliminary Draft charging Schedule contained brief comment regarding Brownfield sites and why CIL is not applicable to them - cost of cleaning up the land, covered by other policies and the NPPF for example. Perhaps some comment regarding Brownfield sites can be included in later consultations on this subject We recommend that infill, or the demolishing and then building of single or multiple developments on the site should be subject to a CIL at a minimum of Zone 2 rates or a flat rate per dwelling. See comments below. We are concerned that the rates of CIL encourage developments in the Southern part of the Borough We suggest that a new CIL levy be introduced at a reasonable 'rate per dwelling' as opposed to sq.m in these | <p>The CIL regulations set out exemptions to the payment of CIL. The rates and boundaries are set with regard to the viability evidence set out in the report by Keppie Massie.</p> |

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| | <p>areas to help fund the additional infrastructure required to support new developments.</p> | |
| <p>Barton Willmore on behalf of the Cranford Estates Ltd (PDCS 42)</p> | <ul style="list-style-type: none"> • The Government intends to review how CIL operates. The future of CIL is therefore at this point uncertain. • In response, CEC may want to delay further progress in developing its approach to CIL until greater clarity is provided by the Government. • Indicative timescales are required to be provided to ensure that landowners and developers are aware of when the Charging Schedule will be implemented. • Need to refer to CIL Provisional Arrangements and should be reflected within the proposed CIL Charging Schedule. | <p>A timetable has been prepared for CIL. Following consultation on the draft Charging Schedule, an examination on the CIL Charge is expected by the end of 2017 and the adoption of a future CIL Charge expected in the first quarter of 2018.</p> <p>The council is aware of the stated government intention to review CIL and will keep its programme under review in line with any future changes to the operation of the CIL charging regime.</p> |
| <p>Barton Willmore on behalf of Richborough Estates (PDCS 41)</p> | <ul style="list-style-type: none"> • On behalf of our Client, Richborough Estates Ltd, we set out below our comments in relation to the recently published Community Infrastructure Levy (“CIL”) Preliminary Draft Charging Schedule, with specific regard to our Client’s existing land interests at Land to the north of Moorfields, Willaston. • As Cheshire East Council (the “Council”) is aware, outline planning permission (Ref: 13/3688N) for the development of 146 dwellings on the Site was obtained by way of a s.78 appeal in August 2014. This decision was initially challenged by the Council by way of an s.288 challenge before the High Court. However, Richborough Estates were subsequently successful in reversing the High Court’s judgment before the Court of Appeal. The Council were granted permission to appeal to the Supreme Court, with a Hearing held on 22-23 February 2017. Our Client is currently awaiting judgment from the Supreme Court on this matter. Until this time, planning permission relating to this Site remains valid under the presumption of regularity. • It is noted that no draft timetable for adoption for the CIL Charging Schedule has been prepared, and therefore the proposed timescales for its adoption are unknown. Indicative timescales are required to be provided to ensure that landowners and developers are aware of when the | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations. The supreme court has made a judgement on this matter but this is separate to the process of preparing a CIL charge.</p> |

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| | <p>Charging Schedule will be implemented.</p> <ul style="list-style-type: none"> • We do however support the Council’s position that consideration should be given to the recently published White Paper which is likely to amend the system of developer contributions as part of the 2017 Autumn Budget. • Within the proposed Draft CIL Map, our Client’s Site is located within Zone 4, where a CIL rate of £112 sqm has been proposed on the basis that it is a “Greenfield area to the south and central areas of Cheshire East”. • It is our Client’s position that no justification has been provided by the Council as to why the Site has been included within Zone 4. • The Viability Report differentiates between sites located within “Inner Crewe” and “Outer Crewe” with Outer Crewe [alongside Middlewich and Elworth] defined as being located within a “low zone” where a zero CIL charge should be applied in respect of both brownfield or greenfield sites. Additionally, as set out in Table 7.2 of the Council’s Viability Report, Willaston is not one of the named settlements of “Macclesfield, Alsager, Outer Congleton, Handforth, Holmes Chapel, Nantwich and Sandbach, Audlem, Bollington, Bunbury, Chelford, Disley, Goostrey, Holmes Chapel and Wrenbury”, where the Council consider a charge of £112 per sqm would be applicable; albeit our Client does not agree that this rate is applicable in all those locations either but that is a matter addressed in their other CIL representations. • Subsequently, it is our Client’s position that no justification has been provided as to why a rate of £112 per sqm should be applied to their Site. The Site is no different from land that is defined as being within the “Crewe Rural Hinterland”, which is of a significantly lower rate than £112 per sqm. • On the basis of the above, it is considered that in relation to our Client’s Land to the north of Moorfields, Willaston, | |
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| | <p>given the Council's commitment to amending the settlement boundary pending the outcome of the Supreme Court, the CIL Zone 4 boundary should be amended to include our Client's Site within the Crewe Urban Area boundary.</p> | |
| Trafford Council (PDCS33) | <ul style="list-style-type: none"> No comment | Noted |
| Weston and Basford Parish Council (PDCS 32) | <ul style="list-style-type: none"> Weston Parish Council are very disappointed in the CIL proposals and the inclusion of the Parish in Zone 2 on the plans where the charge is proposed to be £35/sq m for any new residential development when the adjoining parish of Shavington for example is within the £112/sq m charging zone. They are also of the view that by charging £0 for a range of other developments a significant opportunity is being missed to fund much needed new and upgrade existing infrastructure. There is no rationale for charging such different rates in what are very similar parishes and Weston and Basford will significantly miss out on a considerable amount of CIL monies if this discrepancy is maintained. Weston and Basford Parish Council object to the Draft Preliminary Charging Schedule and recommend that a standard rate is adopted across the whole of the Borough. | Noted. The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations. |
| Cheshire Association of Local Councils (PDCS 31) | <ul style="list-style-type: none"> This is a missed opportunity to properly fund the social, environmental and economic infrastructure across the Borough and to charge a zero rate in many areas, particularly in the south, is counter intuitive when there are significant development pressures across the whole area. A flat rate across the whole borough similar to that charged by Cheshire West is the way forward, it works in practice and has proved not to affect viability or deliverability. | The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge to be adopted by Cheshire West and Chester Council to be implemented from September 2017 onwards. |
| Warrington Borough Council | <ul style="list-style-type: none"> No comment | Noted |

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| (PDCS30) | | |
| Pickmere Parish Council (PDCS24) | <ul style="list-style-type: none"> The Parish Council wished to support the concept of some financial charge being applied to developments as a contribution to the enhancement of local infrastructure | Noted |
| Goostrey Parish Council (PDCS 29) | <ul style="list-style-type: none"> We note that no CIL would be payable within the Goostrey settlement boundaries - what is the justification for non-charging of CIL here and is this in line with national practice? What happens if the settlement boundary is extended in the SADPD, is development in those areas subject to a CIL charge as shown in the CIL document Figure B.1 'Charging Zone Map' or would that map be revised? | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations.</p> <p>If the settlement boundary is extended in the SADPD then this will be considered, alongside any changes to market evidence etc in future reviews of the draft charging schedule.</p> |
| Historic England (PDCS28) | <ul style="list-style-type: none"> No comment | Noted |
| Debbie Jamison (PDCS5) | <ul style="list-style-type: none"> The nil charge is unacceptable. Commercial and brownfield should pay a CIL charge. CEC seems to have decided to let the landowners & developers off the hook that the NPPF promoted as a benefit of allowing building on a less regulated scale. The 123 projects list is woefully inadequate, especially in relation to the key service centres. A reference to the Public Leisure centre improvements in Knutsford is missing There is an inconsistency in the Knutsford education requirements with site CS18 (500 houses) only being asked for the same contribution as the smaller CS19 (200) and CS50 (225) sites | The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations. |
| Cheshire East Local Access Forum (PSCS2) | <ul style="list-style-type: none"> The Forum is keen to take this opportunity to stress the importance of access to the countryside for the purposes of leisure walking, cycling and horse riding, for active travel, and in recognition of the value this access to the Quality of Place of the Borough. Although countryside access is not specifically referenced in the document, it appears that under the proposed scheme, such access could be secured through both the CIL and s106 | Noted |

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| | <p>processes, depending on whether the access is considered strategic or site-related in nature. For this reason, the Forum would be generally supportive of the overall aims of the proposed schedule.</p> | |
| <p>Alsager Town Council (PDCS61)</p> | <ul style="list-style-type: none"> • The amount of housing development will adversely impact on the character of the Borough and County. • It would appear that the areas subject to most development pressure in the Borough to the south and thus pressure on the existing infrastructure are those areas where no charge is to be levied. This appears counter intuitive. • Cheshire West and Chester impose a flat charge of £135 per dwelling in Chester and rural area but charge £0 in Ellesmere Port, Northwich, Winsford and Blacon urban areas. • It also does not make sense to levy different rates across the Borough and a flat charge of £135 for each new dwelling would not appear unreasonable having regard to the high land prices across Cheshire and new house prices. Such a nominal charge will not, in our opinion, discourage housebuilding nor will it affect the viability of a development. | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations.</p> <p>The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge adopted by Cheshire West and Chester Council to be implemented from September 2017 onwards.</p> |
| <p>Congleton Town Council (PDCS58)</p> | <ul style="list-style-type: none"> • As set out this is a missed opportunity to properly fund the social, environmental and economic infrastructure across the Borough and to charge a zero rate in many areas, particularly in the south, is counter intuitive when there are significant development pressures across the whole area. A flat rate across the whole borough similar to that charged by Cheshire West is the way forward, it works in practice and has proved not to affect viability or deliverability. | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations.</p> <p>The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge adopted by Cheshire West and Chester Council to be implemented from September 2017 onwards.</p> |

| 8) Do you have any other comments on the evidence base that supports the Preliminary Draft Charging Schedule? | | |
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| Name / Organisation | Summary of Issue Raised | Council's Response |
| Liz Osborn, Poynton Town Council (PDCS 38) | <ul style="list-style-type: none"> The Town Council would wish to confirm that the higher charges proposed for green field/Green Belt areas should apply even for the “start up” work of such sites (which may also include for example show/demonstration houses). | The Council will collect CIL in line with the requirements of the CIL regulations. |
| Knutsford Conservation and Heritage Group (PDCS 19) | <ul style="list-style-type: none"> Keppie Massie’s Draft Viability Assessment states that further evidence may lead to further testing, and “lead to revised recommendations concerning the levels of CIL that could be charged” (Assessment, para 7.59). KCHG agrees that the evidence base is inadequate. | The Draft Charging Schedule has reviewed comments made to the Preliminary Draft Charging Schedule and undertaken additional site testing focused on Local Plan Strategy strategic sites and therefore the evidence base is considered to be robust to support the adoption of a future CIL Charge. |
| DPP on behalf of Argonaught Holdings Limited (PDCS44) | <ul style="list-style-type: none"> LPCL would encourage the Council to investigate why and for what reasons a number of supposedly viable developments granted permission in recent years haven’t come to be implemented. | As required by the CIL Regulations the proposed CIL rates are based on viability evidence. |
| How Planning on behalf of TEM property Group, Tatton Estate, Bloor Homes, Linden Homes, Royal London Asset Management, Bluemantle Developments and Frederick Robinson Limited (PDCS50) | <ul style="list-style-type: none"> GDS has identified fundamental inaccuracies in the appraisals and have concerns over the methodology that has been adopted. The extent of the errors gives rise to considerable concerns regarding the robustness of the DVA. GDS conclude it is highly likely that the proposed CIL charging rates are too high and broad-brush. They recommend the DVA should be reworked both in terms of the figures and appraisal inputs and the boundaries / geographical breakdown of value areas. Difficult to assess the impact of CIL on strategic sites at this stage, given the Viability Assessment does not appraise them. These sites make up the vast majority of housing land supply (over 80%) and their delivery is essential. The consortium believes adopting a CIL Instalments Policy is essential and supports the principle of the Council providing for other discretionary relief to allow flexibility where | <p>Consultants Keppie Massie and the Council have reviewed comments made to the Preliminary Draft Charging Schedule, alongside undertaking additional modelling focused around the strategic sites within the Local Plan Strategy.</p> <p>The proposed Draft CIL Charging schedule has been prepared based, on the robust interpretation of appropriate and available viability evidence and on the requirements as set out in the adopted Local Plan Strategy.</p> <p>In accordance with national policy the CIL rates have been based on viability evidence and set at a level which will not jeopardise the delivery of development in the Borough.</p> <p>Alongside the Draft Charging Schedule consultation, a draft CIL Instalments policy has been published.</p> <p>The draft regulation 123 list has been published with evidence as set out in the</p> |

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| | <p>necessary</p> <ul style="list-style-type: none"> The consortium is concerned that the Draft Regulation 123 List contains infrastructure projects which in some instances are identified in the Infrastructure Delivery Plan as having no funding gap, or that the cost of delivery is unknown. | <p>Infrastructure Projects document.</p> |
| <p>Cheshire Association of Local Councils (PDCS 31)</p> | <ul style="list-style-type: none"> It would appear that the areas subject to most development pressure in the Borough to the south and thus pressure on the existing infrastructure are those areas where the lowest charge is to be levied. This appears to be counter intuitive. Furthermore by imposing relatively high tariffs on development in the north then this could divert development to areas in the south where there is a lower charge. There are also anomalies around Crewe, for example Willaston and Wistaston, two adjacent and similar settlements that are proposed to be charged at different rates? A flat charge of £110/sqm for each new dwelling would not appear unreasonable having regard to the high land prices across and new house prices. Such a nominal charge will not discourage housebuilding nor will it affect the viability of a development. | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations.</p> <p>The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge adopted by Cheshire West and Chester Council to be implemented from September 2017 onwards.</p> |
| <p>Congleton Town Council (PDCS58)</p> | <ul style="list-style-type: none"> It would appear that the areas subject to most development pressure in the Borough to the south and thus pressure on the existing infrastructure are those areas where the lowest charge is to be levied. This appears to be counter intuitive. Furthermore by imposing relatively high tariffs on development in the north then this could divert development to areas in the south where there is a lower charge proposed. The areas listed in Zone 1 are Principal and Key towns as well as all of the LSC's where the majority of new and 'sustainable' development is to be directed. To levy a zero charge within these settlements does not make sense when these are the areas where new house building will take | <p>The Draft Charging Schedule and Zone Map have been established on the basis of viability evidence in line with the CIL regulations.</p> <p>The Cheshire West and Chester CIL rate has been examined with the residential zone 1 rate (covering Chester and the Rural Area) amended from £110 per sqm to £70 per sqm in the final charge adopted by Cheshire West and Chester Council to be implemented from September 2017 onwards.</p> |

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| | <p>place which will in turn place greatest pressure on existing infrastructure. It also does not make sense to levy different rates for new residential development across the Borough and a flat charge of £110/sqm for each new dwelling would not appear unreasonable having regard to the high land and new house prices across the Borough. Such a nominal charge will not discourage housebuilding nor will it affect the viability of a development.</p> | |
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