
Report to Babergh District Council

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an Examiner appointed by the Council

Date: 15 December 2015

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE BABERGH DISTRICT COUNCIL REVISED DRAFT COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 19 March 2015.

Examination hearing held on 17 June 2015

File Ref: PINS/D3305/429/4

Non Technical Summary

This report concludes that, subject to the modifications set out in Appendix A, the Babergh District Council Revised Draft Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

Introduction

1. This report contains my assessment of the Babergh District Council Revised Draft Community Infrastructure Levy Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with the Planning Practice Guidance (PPG).
2. To comply with the relevant legislation the local charging authority has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the District. The basis for the examination, on which a single Hearing day was held on 17 June 2015, is the submitted Revised Draft Charging Schedule (RDSCS) published in January 2015.
3. This was submitted for Examination by the Council on 19 March 2015, following public consultation in January and February 2015. The RDSCS replaced an earlier Draft Charging Schedule of November 2014 which was subject to public consultation in November to December 2014 (DCS).
4. The Council produced the evidence base jointly with Mid Suffolk District Council. Whilst I also conducted the examination for the Mid Suffolk District Council Revised Draft Community Infrastructure Levy Charging Schedule, I have produced separate reports for each Council. However as these are based on joint evidence they are very similar in parts.
5. Following the Hearing session I requested that the Council prepare alternative appraisals for small sites (1, 5 and 10 dwellings) to sensitivity test relevant evidence provided by the smaller housebuilders. The Council carried out consultation on these additional appraisals during July 2015, proposing that the charging rates for such sites remain unaltered.
6. On 31 July 2015, a High Court judgement (*West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin)*) was issued. Following from this the

PPG was amended by removing the requirement that developer contributions such as affordable housing should not be sought from development of 10 units or less. In order to inform my conclusions, during August 2015 I sought views on the implications of this change for the CIL examination, from the Council and representors who submitted comments on the proposed residential rates. The Council provided further clarification of the proposed charging rates for residential development during September 2015 followed by a final opportunity for comments on this matter during October 2015.

7. The Council has accepted that the charging rates for small sites within the RDCS as submitted do not now conform to the revised PPG, as they do not take account of the 35% affordable housing requirements on all residential development sites within the District. I note that several representors have requested that the Council carry out further appraisals and produce modifications for consultation on this matter. However the Council does not consider that this is necessary and instead refers to their previous DCS, which set out rates for residential development in accordance with the Council's affordable housing policy. These previously proposed residential rates were: Low zone (1-2 dwellings) at £90 per sqm; low zone (3+dwellings) at £50 per sq m and high zone at £115 per sqm. Although the Council has not formally advanced any modifications on this matter, they have confirmed that they would be content to accept these charging rates should I be minded to recommend them within this report.
8. Notwithstanding this, the basis for the Examination and this report is the RDCS which was submitted in March 2015. As such the Council proposes to include differential charging rates for residential development, based on a low value zone, high value zone and strategic site geographical areas. The low and high zones are proposed to be further differentiated by the number of units. In summary the proposed residential rates are:
 - Low value zone (excluding assisted living housing): sites of 1-10 dwellings at £125 per sqm and sites of 11+ dwellings at £75 per sqm.
 - High value zone (excluding assisted living housing): sites of 1-10 dwellings at £165 per sqm and sites of 11+ dwellings at £115 per sqm.
 - Strategic sites at £0 per sqm.
9. The Council also proposes a District wide charge of £100 per sqm for development that would comprise wholly or mainly of convenience retail. A zero rate would apply to all other uses.

10. In reaching my conclusions I have taken all consultation responses into account.

Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

11. The Babergh Core Strategy & Policies (2011-2031) Local Plan Document (CS) was adopted in February 2014. This sets out the main elements of growth, including the provision for 5,975 new homes within the District between 2011 and 2031. The growth strategy directs this development to the towns, urban areas, core villages and hinterland villages within the District.
12. The Council recognises that this development will need to be supported by further infrastructure, including education, utilities, transport, emergency service provision, community and green infrastructure, flood prevention measures and waste provision. This is detailed within the Babergh District Council Infrastructure Development Plan 2013 (IDP), which has been informed by appropriate consultations with service providers.
13. The IDP broadly identifies the infrastructure that is likely to be required from the growth strategy set out within the CS and was considered as part of the CS Examination. The IDP includes an estimate for total infrastructure costs of about £76m during the Plan period up to 2031. Although the Council recognises that many of the infrastructure providers will invest in some of the future infrastructure required, it is not known at present how much funding would be made available. The Council accepts that it has therefore taken a precautionary approach in setting out the infrastructure costs. The Council originally estimated that there would be a funding gap of approximately £21.5m to be provided by CIL receipts. However it was confirmed at the Hearing that the Council estimates that the strategic sites infrastructure would mainly be provided through developer S106 contributions to the value of £48.7m, leaving a funding gap of around £27.3m to be funded through CIL. This demonstrates the need to levy a charge on future development.
14. The Council estimates that its CIL receipts during the plan period could be between £20m and £25m. This would be delivered mainly through residential development, as the Council anticipates that there would be limited CIL receipts from convenience retail development during the Plan period. The CIL revenue would therefore make a significant contribution towards filling the likely £27.3m funding gap.
15. The Council has produced a Regulation 123 list (November 2014) which sets out in general terms the types of infrastructure that it intends to fund, partly or wholly, through CIL receipts. This includes the provision of passenger

transport, library facilities, additional school places, health facilities and leisure and community facilities. Infrastructure requirements for the defined strategic sites are excluded from the list.

16. It is not the purpose of the CIL examination to challenge the draft Regulation 123 list. Although a number of representations have raised concerns about the generic nature of the list and have sought revisions to it, there is no evidence that this approach would hinder the delivery of specific infrastructure. I therefore consider that the Council has clearly identified the types of infrastructure that could be funded through the CIL receipts.
17. The Regulations prevent any infrastructure from being paid for through both S106 contributions and CIL (termed 'double dipping'). The Council at the Hearing stated that notwithstanding the existing County wide planning obligations documents, they are proposing to produce a supplementary planning document to explain the split between S106 contributions and CIL funding. However I note that there is no timescale for the production of this document at present. I would urge the Council to produce this document without delay to aid clarity for developers.

Economic viability evidence and approach to rate setting

18. The Council has produced viability evidence in the form of the *Babergh and Mid Suffolk CIL Viability Study Final Report (October 2014)* (VS) and the *Babergh and Mid Suffolk CIL Viability Study Report Addendum: Viability update on revised affordable housing thresholds (January 2015)* (Addendum). In addition the *Babergh and Mid Suffolk Community Infrastructure Levy Viability Study: Response to Additional Examiners Questions (July 2015)* (Addendum 2) has also been produced.
19. The assessments set out within the VS and both addendums are based on a residual valuation approach using industry standard assumptions for a range of factors including build costs and profit levels. In summary they seek to establish a residual value by subtracting all costs (except for land purchase) from the value of the completed development (the *gross development value*). The price at which a typical willing landowner would be prepared to sell the land (the *threshold or benchmark land value*) is then subtracted from the residual value to arrive at the *overage* or '*theoretical maximum charge*'. This is the sum from which the CIL charge can be taken provided that there is a sufficient viability buffer or margin.
20. The Addendum and Addendum 2 were both produced prior to the recent changes to the PPG, in which the requirement that developer contributions such as affordable housing should not be sought from development of 10 units or less has been removed. Consequently the residential development viability assessments contained within them for small sites (10 dwellings or less) do

not include policy implications for the provision of affordable housing in accordance with the Council's policy. As such the Council considers that the earlier VS is the correct one to use because it applies full policy costs. I shall refer to this later in my report.

21. The provision of a viability buffer is recommended by the PPG¹ so that the levy rate is not set at the margins of viability and is able to support development when economic circumstances adjust. This can also provide some degree of safeguard in the event that gross development values (GDV) have been over-estimated or costs under-estimated and to allow for variations in costs and values between sites. In broad terms, I consider that the appropriate buffers have been applied.

Benchmark Land values (BLVs)

22. For residential development, the BLVs range from £500,000 to £1,000,000 per hectare, according to its geographical location. As there has been limited transactional data within the area, the assumptions about BLVs have been based on three main sources, including land marketed on the UK Land Directory website and EG Property Link, consultations with local property agents and developers and values reported in viability studies submitted to the Council as part of recent S106 negotiations. The Council clarified at the hearing that the BLVs are based on the net developable area of fully serviced sites with no planning permission. No substantive evidence has been submitted to justify the use of alternative values and I therefore find that the appraisal assumptions appear reasonable.
23. Due to the lack of transactions and comparable data the BLVs for other forms of development including offices and retail schemes are based on professional expertise provided by the Council's viability consultants and from discussions with local agents. This approach is reasonable and based on the evidence available.

Sales values

24. The Council suggests that for residential development the sales values as set out within the VS are a fair assessment of market value of between £2,150 and £2,485 per sqm, based on a combination of average sales prices for both new and second hand home transactions as at August 2014. Whilst several representors argue that the sales price assumptions are too generic, I note that the Council has used Land Registry data which has been supplemented by local market information provided by agents and house builders' sales representatives. I am satisfied that the Council has taken a reasonably

¹ Planning Practice Guidance Paragraph 019 - Reference ID: 25-019-20140612

cautious approach when calculating these values.

25. Commercial valuations are based on professional expertise provided by the Council's viability consultants and local evidence received through consultation. This approach is reasonable and based on the evidence available.

Build costs and site densities

26. Build costs for residential development are based on BCIS data as at September 2014 (£865 per sqm for houses and £965 per sqm for flats). Evidence shows that build costs have increased since the VS was produced, but these can be broadly balanced against rising sales values. Furthermore it is reasonable for the VS to be carried out using a single base date.
27. Although the Code for Sustainable Homes (CSH) has now been withdrawn by the Government, I note the intention is to set energy performance requirements out in the Building Regulations from late 2016. The Council's approach to including an additional cost over BCIS to allow for achieving the equivalent to Code for Sustainable Homes Level 4 is pragmatic and helps to ensure that build costs are not underestimated.
28. Whilst suggestions have been made that abnormal costs should be included in the appraisals the VS clearly states that these have been carried out based on the assumption that sites are serviced and therefore such costs have already been incorporated into the land value. Whilst there may be some sites where there are abnormal construction costs, these are unlikely to be typical and this would, in any case, be reflected in a lower BLV for a specific site. In addition such costs could, at least to some degree, be covered by the sum allowed for contingencies. I therefore find the Council's approach is reasonable.
29. In relation to build costs for small sites, this was discussed at some length during the Hearing and since then I have received further representations in response to my additional questions and the Council's consultation on this matter. Representors have drawn my attention to the BCIS higher build cost figure for 3 dwellings or less of £1,374 and a recent BCIS report on the economics of small site housing development². This specifically states that the build costs for all residential schemes of 10 units or less is on average 6% higher than for larger developments. The Council does not dispute this in their letter of 28 September 2015 and have used the higher BCIS build costs for small sites within their Addendum 2 appraisals. However they also use updated sales values and conclude that higher construction costs can generally be off-set by higher sales values, resulting in no material difference to small

² BCIS Report for the Federation of Small Businesses 'Housing development: the economics of small sites – the effect of project size on the cost of housing construction' August 2015

site viability.

30. Whilst I note the concerns on density, at the Hearing the Council confirmed that the assumptions used are based on monitoring work, planning application records and the size of the developments planned. Whilst the Council accept that during the past 5 years the average density on all sites has been around 19 dwellings per hectare, this is not the norm and has been during a period where few Local Plan allocations remain and a larger proportion of windfall and small sites have subsequently been delivered. Considering a large proportion of development during the Plan period will be on strategic and larger sites I am satisfied that generally the density assumptions reflect this and are appropriate.
31. Whilst I recognise that the small site appraisals within the VS are based on these average site densities and build costs, to my mind the approach taken by the Council is both proportionate and pragmatic. It is clear that there will always be exceptions and it would not be reasonable for the VS to take account of every eventuality, considering its purpose is to provide a broad assessment of economic viability across the District. Furthermore the viability margins proposed are generous and provide sufficient flexibility for any additional costs.
32. Build costs for other forms of development have not been significantly questioned, have been based on available data including BCIS figures and appear to be reasonable.

Section 106 and Section 278 costs

33. For non-strategic residential sites, an assumption of £1,000 per dwelling has been used to cover Section 106/Section 278 costs in the VS and Addendums. This would cover items such as local access roads and on-site open space provision. The Council indicated at the Hearing that as the appraisals assume fully serviced sites, Section 278 costs would likely be reflected in the BLV.
34. Representors raise concerns that £1,000 is too low and provide development examples where average Section 106 costs for on-site open space provision alone have been significantly higher. The Council confirmed at the Hearing that once CIL is introduced, the use of S106 will be scaled back and that the assumed £1,000 reflects this approach. I also recognise that the £1,000 cost is an average and that some developments could have higher Section 106 costs whilst others could be lower. In addition, the viability margins are sufficient to accommodate some additional costs without prejudicing development coming forward. I therefore find the Council's assumptions to be reasonable.
35. For strategic sites the Section 106/Section 278 requirements assumed in the

VS are much larger and are more bespoke, in recognition of the additional infrastructure needed to develop these sites. This approach is also reasonable.

Development scenarios

36. The VS provides appraisals for eight types of residential development scenarios with houses ranging from single plot development to a 50 unit scheme and flats ranging from 3 units to 50 units. Each type of development has been tested for viability according to its low or high value location.
37. Concerns have been raised that the scenarios do not reflect the development that is proposed to come forward over the Plan period, such as sites larger than 50 dwellings but less than the smallest strategic site of around 250 dwellings. Whilst a Site Allocations development plan is not currently in place, the Council indicated at the Hearing that one is being progressed and that the scenarios generally reflect the size of non-strategic development proposed to come forward during the Plan period. Overall I consider that the sampling used covers a reasonably representative selection of the types and sizes of development likely to be constructed within the District.
38. In relation to retail development the VS has tested one scenario for comparison retail and three different scenarios for convenience retail according to the size of the store. I note that no large format convenience stores are proposed within the District so the largest development scenario was adjusted to a £4,000 sqm (gross) convenience store. This appears to be a pragmatic and reasonable approach.
39. The VS has also appraised six other development types including office, light industrial, retail, care homes and hotels. There is no indication that rental values and yields might vary significantly across the District and therefore there is no justification for carrying out finer grained sampling. The Council's approach to these development scenarios is therefore reasonable.

Affordable housing

40. The Council's planning policy requires 35% affordable housing on all residential development sites within the District. The policy also states that for development of 1-2 dwellings a commuted sum will be required whereas for all other schemes provision will be provided on site. The calculations for the commuted sums are contained within the *Babergh Affordable Housing Supplementary Planning Document 2014 (SPD)*. The Council calculates that the cost for providing a commuted sum on one house in the low value area is up to £4,860, whilst this increases to up to £10,620 in the high value area. In comparison the costs for on-site provision are considerably more at around £23,923 per dwelling based on a development of 5 houses within the low value

area. I am satisfied that the VS appraisals reflect these costs.

Developer Profit

41. The VS assumes a developer profit of 20% of GDV for market housing and 6% of GDV for affordable housing. This equates to around 17.5% of overall GDV. Although representors argue that the figure should be higher, the assumptions made seem reasonable and are sufficient to ensure that development would not be prejudiced. The rate of return for other development also seems reasonable.

Other costs

42. The viability assessment and appraisal results for residential development include 8% of development costs for professional fees, £500 per unit for legal fees, sales agents fees of 1.25% of private sale value, £1000 per private unit for marketing costs and finance interest at 7%. Contingency costs are mainly set at 5% although the Brantham Regeneration Area strategic site has a higher cost of 15%. A number of representations criticise these figures as being too low. However the assumptions appear reasonable and generally follow industry standards. In addition I have no firm evidence to indicate that significantly higher percentages should be applied.
43. The costs for other types of development also appear to be in accordance with industry standards and are reasonable.

Conclusion

44. The draft Charging Schedule is supported by detailed evidence of community infrastructure needs and economic viability. On this basis, the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate. I recognise that there are different opinions on individual cost elements and that small variations in some could cumulatively have an impact on viability. However there are no definitive right or wrong figures to be applied and the assumptions made by the Council in the main reflect appropriate industry costs and are not set too low. The existence of contingency costs and the use of significant viability buffers reinforces the Council's approach and provides reasonable margins for any additional costs.

Is the charging rate informed by and consistent with the evidence?

CIL rates for residential development

45. The Council confirmed at the Hearing that most residential development is proposed to come forward from the low value areas of the District. The VS shows that within the low value zone, overages for houses range from £183 for a 50 house scheme to £330 for a single dwelling. Within the high value

zone the maximum CIL charge ranges from £273 to £375.

46. As previously set out above, the proposed charging rates in the RDCS are not consistent with the VS evidence as they are informed by the non-policy compliant Addendum appraisals. It is therefore necessary for me to consider what rates are appropriate based on the policy compliant evidence that is before me. As requested by the Council I have considered the proposed charging rates set out within the DCS against the maximum overages available. The CIL charge rates of £90 for 1-2 dwellings and £50 for 3+ dwellings within the low value zone and £115 within the high value zone would provide generous buffers of between approximately 60 and 70%.
47. Within the low value zone the proposed £125 rate for 1-10 dwellings would not be justified as this does not reflect the affordable housing policy. The Council's suggested lower rate of £90 for 1-2 dwellings would take into account the cost of providing a commuted sum for affordable housing and the suggested lower rate of £50 for 3-10 dwellings would reflect the higher cost of on-site provision. The affordable housing issues that have led the Council to propose these lower differential rates for developments of 1-10 dwellings do not apply to schemes of over 10 dwellings. However, I agree with the Council's current position that the rate for these larger schemes should be reduced from £75 to £50. This is so that the viability buffer for these schemes would be in line with that for developments of 1-10 dwellings. This will help reduce risk and ensure the delivery of planned development. Furthermore, it is reasonable to base the rates on a set of appraisals which were prepared at the same time to the same assumptions. Overall, therefore, modifying the rates as suggested by the Council would be justified by the viability evidence.
48. Within the high value zone the evidence shows that the maximum overages are higher than those within the lower value area and therefore a higher CIL rate would be justified. However a reduction in the charging rate from £165 to £115 for 1-10 dwellings, as suggested by the Council, would be reasonable to reflect the increased costs of providing affordable housing in accordance with the policy. Although on-site provision of affordable housing has a higher cost for 3+ dwellings, in reality this does not appear to make a significant difference to viability within this zone, as such costs represent a lower percentage of the overall value of the development than they do in the low value area. Consequently the use of a modified flat rate of £115 within the high value area would provide a generally consistent buffer of around 60-70%, which would be justified by the viability evidence.
49. Whilst I note that low levels of affordable housing have been achieved on recent residential schemes within the District, I see no reason why the delivery of affordable housing would be prejudiced by the imposition of the modified CIL rates, particularly as these would be lower than those set out in the submitted RDCS. In addition lower charging rates would assist the delivery of

small sites within both zones.

50. Representors have queried proposed charging for flat developments as the evidence shows that these would predominantly be unviable. However the Council confirms that flats would form a very small proportion of planned growth and that these would mainly come forward as part of mixed use schemes where one housing type would cross-subsidise another, ensuring that such development was viable. I was informed at the Hearing that over the last 5 years flats have accounted for only around 5.4% of total residential development. Furthermore flats account for only around 7.1% of overall housing stock within the District. The Council anticipates that a low level of flat developments is likely to come forward within the Plan period which is not essential to the delivery of the Plan and as such a charging rate for flats would not threaten planned growth.
51. Whilst I note that agricultural dwellings could fall within the residential charging rate, it has not been demonstrated to me that such development would not be viable.
52. Taking all the above into account I recommend that the Charging Schedule is modified as set out within Appendix A to this report, to include lower residential development charging rates as suggested by the Council and as justified by the viability evidence **(EM1)**. In addition for reasons of clarity the text 'reference to combined gross floorspace upto 1,000sqm' within the residential rates is no longer needed due to the changes to the PPG and therefore should be deleted **(EM2)**.
53. A representor has also sought that the term 'assisted living' is changed to 'specialist older persons housing' as this best describes the specific provision referred to. The Council at the Hearing confirmed that they had no objections to this and I therefore recommend, for the avoidance of doubt, that references to 'assisted living' housing within the Charging Schedule is replaced with the term 'specialist older persons housing' **(EM3)**.

Strategic sites

54. The VS contains individual assessments for the 5 strategic sites allocated within the Core Strategy to deliver residential development within the District. In all cases the viability assessments have included individually assessed section 106 and section 278 costs and where relevant additional contingencies have been included to take account of matters such as flood mitigation measures. The appraisals show that CIL could not be viably accommodated on these sites. I have received no objections to these appraisals or the proposed nil charge for these sites. Based on the evidence before me I

consider that a CIL charge could hinder the delivery of these strategic sites. The proposed nil rate is therefore consistent with the evidence and is justified.

CIL rates for convenience retail development

55. There are no site specific proposals for convenience retail development within the District. Concerns have been raised by representors that the proposed CIL charge of £100 per sqm could affect the delivery of stores within the town centres, should they come forward. However based on the evidence before me there appears to be little variation as to the viability of this form of retail whether it is within or outside town centre locations. Indeed the VS identifies that in contrast to all other types of commercial development, convenience retail generates positive residual values within the District. The proposed District wide charge of £100 per sqm is therefore consistent with the evidence and is justified.

Other development

56. The VS shows that viability for all other development, including offices, light industrial, comparison retail, care homes and assisted living (specialist older peoples housing) is negative without CIL being charged. A £0 CIL rate for all other development is therefore appropriate. However for the avoidance of doubt, the schedule should be amended by removing all reference to use classes under 'All other uses' within the schedule **(EM4)**.

Other matters

57. Representors have raised concerns that the Council's draft instalments policy is not flexible enough, but it has not been demonstrated that the payment periods and amounts requested would affect scheme viability. I also note the Council has not produced a payments in kind policy or exceptional circumstances relief policy. However the Council has discretion over these matters and it is not the role of the examination to consider them. There is therefore no need for me to comment further on these matters.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

58. The Council's decision to set the rates in the charging schedule is based on reasonable assumptions about development values and likely costs. The evidence indicates that the overall development of the area, as set out in the development plan, will not be put at risk if the proposed charges are applied, subject to the recommended modifications. In setting the CIL charging rates the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in the District of Babergh.

59. I recognise the modifications to the residential charging rates as set out in Appendix A will reduce the level of CIL income to some degree. However the CIL received will still make a significant contribution to filling the funding gap, whilst ensuring that a range of development remains viable across the District.

Conclusion

60. Overall therefore, and subject to the recommended modifications, an appropriate balance has been achieved between the desirability of funding the costs of new infrastructure and the potential effects on the economic viability of development across the charging area. However it would be prudent for the Council to review the schedule within 3 years of adoption, as subsequent development plan documents are prepared, to ensure that the overall approaches taken remain valid, that development remains viable and that an appropriate balance is being struck.

LEGAL REQUIREMENTS	
National Policy/Guidance	Subject to the recommended modifications the Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Core Strategy and Infrastructure Delivery Plan and is supported by adequate financial appraisals.

61. I conclude that, subject to the modifications set out in Appendix A, the Babergh District Council Revised Draft Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

Y Wright

Examiner

This report is accompanied by **Appendix A** (attached) – Modifications that the Examiner specifies so that the Charging Schedule may be approved.

Appendix A

Modifications recommended by the Examiner so that the Charging Schedule may be approved. Unless otherwise specified, new text is in **bold and underlined** and deletions are marked in ~~**bold and strikethrough**~~.

Examiner Modification (EM) Number	Reference	Modification
EM1	Table 01, CIL Rates	Replace the residential development rates , excluding strategic sites, with the following: <u>1-2 dwellings – Low value zone: £90 per sqm</u> <u>3+ dwellings – Low value zone: £50 per sqm</u> <u>High value zone: £115 per sqm</u>
EM2	Table 01, CIL Rates	Delete 'reference to combined gross floorspace upto 1,000sqm' within the residential rates.
EM3	Table 01, CIL Rates	Replace reference to 'assisted living' housing with <u>'specialist older persons housing'</u> within the brackets under Residential development and in the footnote to the table.
EM4	Table 01, CIL Rates	Delete brackets and text under ' All other uses '