

Planning, Transportation and Environment

AB2 Lucombe house
County Hall
Topsham Road
Exeter
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22 March 2019

Dear Sir/Madam

RE: CIL Preliminary Draft Charging Schedule consultation

Thank you for the opportunity to comment on the East Devon CIL Preliminary Draft Charging Schedule.

As you know the County Council is responsible for the delivery of key strategic infrastructure and I welcome engagement with your council in setting priorities for how the levy will be spent. It is of great importance that the necessary transport infrastructure is in place to help in the delivery of development and that schools are delivered at the appropriate time to ensure that residential development is sustainable.

From the County Council's point of view the proposed changes to the CIL regulations are likely to have a positive benefit in the provision of infrastructure specifically with the removal of the S106 pooling restriction and the replacement of the regulation 123 list with an annual Infrastructure Funding Statement. However, I do remain concerned that a bidding process for CIL will not guarantee that the County will receive the funds necessary for transport infrastructure and delivery of schools.

Relationship between CIL, S106 and viability

The County Council welcomes the review of CIL and is aware of its changing regulatory context. It would be useful to provide further clarity on how the District Council will manage the transition between CIL and S106. This is particularly the case where development has been approved under CIL and there are critical infrastructure items that are currently identified on the Regulation 123 list (for example, Tithebarn/Mosshayne, Exmouth and Axminster education requirements).

Paragraph 2.11 sets out that CIL rates are reduced on strategic allocated sites due to additional infrastructure costs provided through S106 contributions. It would be helpful to provide clarity on which infrastructure is included within the assumed S106 contributions for such sites to ensure that infrastructure contributions can be made more appropriately through the S106 process. To increase clarity on this matter, it is suggested that the District Council considers a zero rate for all strategic allocations (as discussed in paragraph 5.4.6 and 7.1.6 in the viability study). Relying on S106 Agreements is a more appropriate approach in this instance as it facilitates the provision of infrastructure which is directly related to allocated development.

As a minimum, the County Council would prefer for education infrastructure to be considered under S106 for all sites which are yet to secure planning permission. Sites which have already secured permission should be prioritised for the allocation of CIL funding as there will be limited further opportunities to secure the funding for these projects once the revised Charging Schedule is in place.

It is noted in paragraphs 2.19 and 2.21 that, consistent with Government's CIL review, it is proposed that pooling restrictions and therefore the need for a Regulation 123 list to be published, is removed. It is vital that the County Council is able to engage in early discussions with the District Council regarding which projects will be prioritised for funding alongside clarity regarding which infrastructure is anticipated to be funded through CIL or S106. It will be important that viability discussions involve the County Council and achieve an appropriate balance between critical infrastructure provision and affordable housing.

Additionally, it would be helpful to discuss the role the County Council may have in supporting the preparation of the annual Infrastructure Funding Statements.

Cranbrook

It is evident that the current and forecast CIL receipts in East Devon will not be sufficient to fund the critical and necessary infrastructure at Cranbrook covered by the existing Regulation 123 List, jeopardising or delaying its delivery. Enabling infrastructure (and the land required to deliver it) at Cranbrook to be funded through S106 or through direct provision by developers will provide more certainty over the availability of funding enabling more timely provision of infrastructure. In particular, there are substantial education infrastructure requirements at Cranbrook and the County Council has significant concerns over the ability to secure funding for these under the current CIL regime. This is also an issue for transportation and community facilities, particularly as a result of the unusually high proportion of families with young children and high levels of need for additional support. Given the limited health and wellbeing infrastructure currently in place, the County Council, along with other agencies, face significant challenges in supporting the health and social needs of the growing number of residents.

Given these significant challenges, the County Council welcomes the proposal for a zero rate of CIL for all development at Cranbrook. It is essential that critical infrastructure at Cranbrook is provided in an appropriately phased and timely manner. Securing funding for education through S106 will assist in this matter.

CIL Review and Cranbrook Viability Study

There are a number of minor inconsistencies within the CIL Review and Cranbrook Viability Study:

- Paragraph 6.1.1 refers to a total of 7,670 dwellings (3,500 approved and 4,170 proposed) whereas the Cranbrook DPD identifies 7,750 dwellings. It would be helpful for both documents to identify a consistent number of homes to allow the County Council to plan for and request contributions towards infrastructure as effectively as possible.
- Table 6.4, item 12 relates to Special Educational Needs (SEN) provision and includes a cost of £1m. Looking across the various documents, it appears that this cost relates to the expansion areas contribution towards SEN. The total cost of this is estimated to be £5.4m.

- All education costs identified within the documents exclude land costs. The Cranbrook IDP has been updated to indicate the costs including land. It would be helpful for these documents to be consistent.

Extra care housing

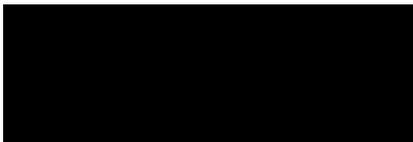
The proposal to apply a zero rate of CIL to extra care housing is supported. Significant developer contributions are often required to make individual extra care housing schemes viable; a zero rate will assist in the viability and deliverability of these important schemes.

Greater Exeter Strategic Plan

It should be noted that further consideration will need to be given in the future to the charging zones and the application of the relevant CIL rates across East Devon in the context of potential allocations which come forward through the GESP process.

If you have any queries regarding the contents of this response, please do not hesitate to get in touch.

Yours faithfully,



Mike Deaton
Chief Planner