

Our ref:
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Via email: planningpolicy@eastdevon.gov.uk

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Direct Line: 

19th March 2019

Dear Planning Policy,

East Devon Community Infrastructure Levy – CIL Preliminary Draft Charging Schedule – Consultation

Thank you for consulting Highways England (HE) on the CIL Preliminary Draft Charging Schedule.

We have reviewed the evidence base and are content that it identifies the opportunities and restraints faced by the Council in determining an appropriate levy, and that the draft charging schedule reflects this.

It is noted that the council is revising its charging schedule to reflect updated national policy and guidance, latest evidence on development costs and values in the district, and to align with development being proposed in the emerging development plans.

We understand that this Preliminary Draft Charging Schedule (PDCS) is the first consultation stage in revising the charging schedule. Future stages may take place under amended CIL regulations. It is identified that the Government Consultation on removing regulation 123 lists and the pooling restriction, could result in the removal of the regulation 123 lists. In addition, the draft regulations remove the pooling restriction that prevent local authorities from using more than five section 106 obligations for a single infrastructure project. This will allow local authorities to use both CIL and section 106 to fund the same item of infrastructure, providing greater funding flexibility in relation to infrastructure delivery.

It is noted due the potential changes set out above that the council are working on the basis that revised CIL regulations will be published in due course, which will confirm the removal of regulation 123 lists and the section 106 pooling restriction as proposed in the draft regulations. Therefore, a revision of the regulation 123 list has not been considered for this consultation.

Highways England are aware of the emerging Greater Exeter Strategic Plan (GESP), we will need to understand through the CIL consultation how sites within East Devon, that maybe allocated within GESP will be considered for charging.

We have no further comments to make at this stage. We would like to continue to engage with you as you progress this work.

Yours sincerely

Lisa McCaffrey

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South West Operations Division – Planning & Development

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