



rhondda cynon taf  
**community infrastructure levy**  
*ardoll seilwaith cymunedol*



# **COMMUNITY INFRASTRUCTURE LEVY**

## **PRELIMINARY DRAFT CHARGING SCHEDULE**

### **Report of Comments and Responses**

**April 2013**







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## 1. Introduction

1.2 On 4<sup>th</sup> December 2012 Rhondda Cynon Taf County Borough Council issued for public consultation the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule.

1.3 The Preliminary Draft Charging Schedule was approved a meeting of Cabinet on 19<sup>th</sup> November 2012. The Schedule was published for public consultation between 4<sup>th</sup> December 2012 and 14<sup>th</sup> January 2013.

1.4 The purpose of this statement is to provide a record of the consultation undertaken and a summary of the representations received to the Preliminary Draft Charging Schedule. Section 2 of this statement includes information on the consultation and publicity undertaken during the consultation period and a list of those individuals and organisations consulted. Section 3 sets out the number of representations received to the Preliminary Draft Charging Schedule, a summary of the main issues raised by respondents and the Council's response.

1.5 This document has been prepared in accordance with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended).

## 2. Record of Consultation

2.1 The public consultation carried out on the Preliminary Draft Charging Schedule was undertaken in accordance with the requirements of Regulation 15 of the Community Infrastructure Levy Regulations 2010 (as amended).

### ***Consultation***

2.2 The package of documents published on the 4<sup>th</sup> December 2012 comprised:

- Preliminary Draft Charging Schedule (November 2012)
- Study into the Economic Viability of Charging Community Infrastructure Levy in Caerphilly, Merthyr Tydfil and Rhondda Cynon Taf County Borough Councils (District Valuer Services, 2012)
- Rhondda Cynon Taf LDP Infrastructure Assessment Background Paper (2012)
- Representation Form
- Consultation Letter (Appendix 1)
- CIL advisory leaflet (Appendix 2)

Copies of the above documents were sent to the Consultation Bodies listed in Appendix 3.

2.3 Notification letters and the explanatory leaflet were sent to approximately 800 different contacts on the Council's CIL database. This included Local and Government Consultation Bodies, Private Sector Organisations, Community Groups and Landowner. The consultation list is contained in Appendix 4. Notification was also sent to Members and staff of Rhondda Cynon Taf County Borough Council.

### ***Publicity and Participation***

2.5 The Package of Preliminary Draft Charging Schedule documents was published on the Council's website on 4<sup>th</sup> December 2012. This contained advice on the availability of information, the consultation process and where additional advice and assistance could be obtained. Copies of the web page are attached as Appendix 5.

2.6 A Developer Panel was held on 11th December 2012 to consider and debate the Preliminary Draft Charging Schedule. The minutes of the meeting are contained in Appendix 7.

### ***Availability***

2.7 Copies Preliminary Draft Charging Schedule and associated documents were placed for inspection at the Council Officers in Sardis House, Sardis Road, Pontypridd. In addition copies the were made available Council Office, Clydach Vale; The One for All Centres: Rock Grounds Aberdare, Bronwydd House Porth, Treorchy Library and Mountain Ash Library and all the Libraries serving the County Borough.

2.8 The Preliminary Draft Consultation documents were placed on the Council's Website for inspection/downloading and were available through out the consultation process. The Website contained full details of the consultation links to related CIL and related Local Development Plan documents and advice on how to make representations. An on line representations form allowed representations to be submitted electronically.

## **3 Summary of Representations**

3.1 A total 71 representations from 20 respondents were received in respect of the Preliminary Draft Charging Schedule. A list of the representors is attached as Appendix 8.

3.2 A number of important issues were raised through in the representations to the consultation process. These include:

- The detrimental Impact on the introduction CIL will have on the economy of RCT;
- The impact the Levy will have on the housing; retail, health care and agricultural sector in Rhondda Cynon Taf;
- The robustness of the Economic Viability Appraisal;
- The objections to the inclusion of Tonyrefail in Zone 3;
- The need for a development specific instalments policy;
- The need for discretionary relief from CIL;
- The need to avoid double counting between S106 requirements and CIL;
- The need to include of improved public rights of way, public open space and rail network infrastructure on the Regulation 123 list;
- The provision and management of 'community' level infrastructure;

4.3 A schedule of the issues raised by respondents and the Council's response is attached as Appendix 9

#### 4. Further Advice

4.1 If you require any further advice or assistance in respect this or other CIL documents or wish to be placed on the Council's consultation database please contact a member of the Spatial Development Team at:

Regeneration and Planning  
Floor 3  
Sardis House  
Sardis Road  
Pontypridd  
CF37 1DU  
Email: [LDP@rhondda-cynon-taf.gov.uk](mailto:LDP@rhondda-cynon-taf.gov.uk)

Telephone: 01443 494735

**Appendix 1: Letters of Consultation**

Our Ref/Ein Cyf:

Your Ref/Eich Cyf:

Date/Dyddiad:

21<sup>st</sup> November 2012

Dear Sir or Madam,

**RHONDDA CYNON TAF COMMUNITY INFRASTRUCTURE LEVY  
(CIL) PRELIMINARY DRAFT CHARGING SCHEDULE  
CONSULTATION**

I refer to my letter of 20<sup>th</sup> November 2012 in respect of the above. I am writing to advise you that the consultation on the Preliminary Draft Charging Schedule will officially commence on the 4<sup>th</sup> December 2012 and will run until the 14<sup>th</sup> January 2013. Please accept my apologies for any inconvenience caused.

The Council would welcome your views on the Preliminary Draft Charging Schedule. The schedule, associated documents and representation forms are available for inspection at **Sardis House, Sardis Road, Pontypridd, CF37 1DU** and can also be viewed at local libraries, main Council Offices, One 4 All Centres and online at [www.rhondda-cynon-taff.gov.uk](http://www.rhondda-cynon-taff.gov.uk).

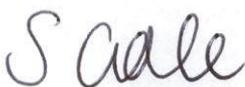
Should you wish to make any comments, please do so by no later than 5:00pm on the 14<sup>th</sup> January 2013 by way of the following:

- Online at [www.rhondda-cynon-taff.gov.uk](http://www.rhondda-cynon-taff.gov.uk)
- Email: [LDP@rctcbc.gov.uk](mailto:LDP@rctcbc.gov.uk)
- Post: Spatial Development Team, Floor 3, Sardis House, Sardis Road, Pontypridd, CF37 1DU.

Copies of the Preliminary Draft Charging Schedule in English and Welsh can be made available upon request. Further updates in respect of the preparation of the charging schedule will be posted on the website in due course. Representations received on the Preliminary Draft Charging Schedule will be considered in the preparation of the draft charging schedule. A second period of consultation will then be followed by an examination in public conducted by an independent examiner.

Should you have any queries regarding the aforementioned, please do not hesitate to contact the Spatial Development Team on 01443 494735 or via email at: [LDP@rctcbc.gov.uk](mailto:LDP@rctcbc.gov.uk).

Yours faithfully,



Simon Gale  
**Service Director of Planning**

November/December 2012



rhondda cynon taf  
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# Community Infrastructure Levy

## What are your views?



### What is the Community Infrastructure Levy (CIL)?

The Community Infrastructure Levy is a new levy that local authorities in England and Wales can choose to charge on new developments in their area.

The money will be used to support development by funding infrastructure such as the provision of new roads, public transport, schools and public open space.

The system is very simple. It applies to most new buildings with 100 sq m or more of gross internal floorspace or involves the creation of at least one dwelling. Charges are based on the size and type of new development.

Rhondda Cynon Taf Council wants to move forward to use this system locally. To do this, the Council has undertaken a lot of the work needed to set the local rate.

This leaflet tells you more about the CIL and how the Council intends to apply it.

### What are the benefits?

#### The Community Infrastructure Levy will:

- Deliver funding for the Council to carry out a range of infrastructure projects that support growth and benefit the local community;
- Provide developers with much more certainty 'up front' about how much money they will be expected to contribute, which in turn encourages greater confidence and higher levels of inward investment, and
- Ensure greater transparency for local people because they will be able to understand how new development is contributing to their community, through the CIL annual report.

### How to make a representation

Email: [ldp@rctcbc.gov.uk](mailto:ldp@rctcbc.gov.uk)

#### Write to:

The Spatial Development Team, Regeneration & Planning Division, Rhondda Cynon Taf County Borough Council, Floor 3, Sardis House, Sardis Road, Pontypridd, CF37 1DU

#### Representation Form:

A representation form and the Preliminary Draft Charging Schedule can be downloaded from the Council's website. Please ensure your comments reach us by the 19th December 2012

#### Queries:

If you have any queries please phone the Spatial Development Team on 01443 494735

### Where to view the Preliminary Draft Charging Schedule

Copies of the documents and details of how to make representations can be viewed:

- On the Council's website at: [www.rctcbc.gov.uk](http://www.rctcbc.gov.uk)
- At local libraries, main Council offices and One 4 All Centres



### How will the levy work?

CIL will be used as the mechanism for pooling contributions from a variety of new developments to fund the provision of new infrastructure to support those developments in the wider area.

Planning obligations (Section 106 agreements between the local planning authority and the developer) will continue to play an

important role in dealing with site-specific issues and in helping to make individual developments acceptable to local planning authorities and communities.

It will not be possible to charge twice for the same infrastructure works through both Section 106 and CIL.

### What will CIL money be spent on?

The CIL will be spent on infrastructure needed to support development within the County Borough. The Council identified a number of projects and infrastructure in its Local Development Plan, which are required to support new growth.

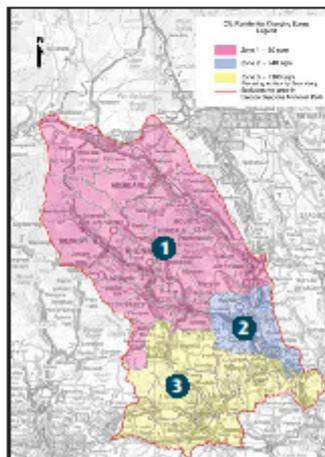
The regulations recognise that priorities change and allow for new projects to be identified that weren't originally foreseen. The Council will publish a list of the infrastructure it intends to fund through CIL on its website.

### What is the proposed CIL level?

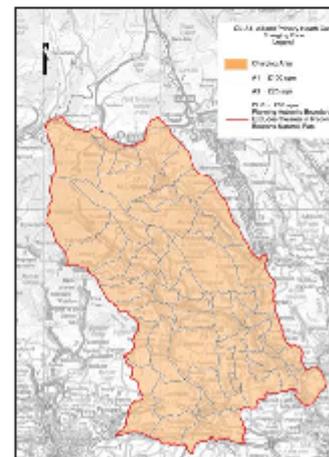
Most development that involves an increase in floorspace will come under the scope of CIL.

- The Council has worked with the district valuer to ensure that CIL will not make new developments in Rhondda Cynon Taf unviable.
- The levy will not be charged if there is no increase in the floorspace of the building as a result of the development.
- The charge does not apply to change of use applications.
- The charge must be levied in pounds sterling (£) per sq m. It will be collected, in most cases, as a cash contribution.
- Charitable organisations and the provision of affordable housing are exempt from paying the levy.

Having identified the infrastructure needs of the County Borough and considered the implications on development viability of potential levy rates, the Council is proposing to charge the following level of CIL per sq m of new development.



Residential Rates	
Zone	CIL Rate per sq m
1	£0
2	£40
3	£100



Commercial Rates	
Development	CIL Rate per sq m
Retail (A1)	£100
Retail (A3)	£25
Primary Healthcare (D1)	£60

Please note that CIL charge will not apply to that part of Rhondda Cynon Taf that lies within the Brecon Beacons National Park.

### How will CIL work?

If you want to build a new house in Zone 3, CIL will be payable at £100 per sq m. A house with a floorspace of 80 sq m will pay a CIL charge of £8,000. In Zone 2 the charge is £40 per sq m and there is no charge in Zone 1.

If you want to build a new shop, the CIL charge will be payable at £100 per sq m. A shop with a floorspace of 100 sq m will pay £10,000. If you want to open a shop in an existing unit, CIL does not apply and there is no CIL charge. No charge will be levied against new business or industrial development.

### When will CIL come into force?

The timetable for adoption is:



[www.rctcbc.gov.uk](http://www.rctcbc.gov.uk)

**Appendix 3 List of Consultation Bodies**

<i>Representor No.</i>	<i>Name</i>	<i>Organisation</i>
692		Powys County Council
2146	Mrs Rosemary Thomas	Welsh Assembly Government
6312	Mrs Pauline Williams	Ynysybwl and Coed Y Cwm Community Council
6313	Mrs Susan Harvey Powell	Rhigos Community Council
6314	Mr Mike Burke	Hirwaun and Penderyn Community Council
6315	Mr Gethin Williams	Pontypridd Town Council
6316	Leanne Handley	Llantwit Fardre Community Council
6317	Mrs A Jenkins	Llantrisant Community Council
6318	Mr Peter Davies	Llanharan Community Council
6319	Mrs Gillian Lewis	Llanharry Community Council
6320	Ms Pauline Williams	Tonyrefail Community Council
6321	Mrs E Jones	Gilfach Goch Community Council
6322	Mr J.H.G Lewis	Pontyclun Community Council
6323	Mr Derek Allinson	Taffs Well Community Council
6325	Mr. Phil Williams	Cardiff County Council
6326	Mr Rob Thomas	Vale of Glamorgan County Council
6327	Mr Dave Llewellyn	Bridgend County Borough Council
6328	Mr Geoff White	Neath and Port Talbot County Council
6329	Mr Christopher Morgan	Brecon Beacons National Park Authority
6330	Mr Roger Tanner	Caerphilly County Borough Council
6331	Mrs Judith Jones	Merthyr Tydfil County Borough Council
6332	Mr Duncan Smith	Torfaen County Borough Council
6333	Mr George Ashworth	Monmouthshire County Council
6334	Ms Sheila Davies	Newport City Council
6335	Mr Gareth Jones	Blaenau Gwent County Borough Council
6336		Department for Communities and Local Government
6337	Mr Rhydian Clement	Welsh Water
6338		Environment Agency Wales Head Office
6339	Liz Howe	Environment Agency Wales South East Area Office
6340	Miss Gillian Barter	Countryside Council for Wales

## Appendix 4 Consultation List

Rep No.	Name	Organisation	Rep No.	Name	Organisation
			54		RSPB
3		Mobile Operators Association	55		Road Haulage Association Ltd.
4		National Library of Wales	57		Ramblers Cymru
5	Ann Clwyd, MP	House of Commons	59	Mr David Brewer	Confederation of UK Coal Producers (Coalpro)
6	Huw Irranca-Davies, MP	House of Commons	61	Paula Maxwell	Business in the Community
8	Chris Bryant, MP	House of Commons	66	Leah Coles	Cwlwm Busnes y Cymoedd
9		Cardiff International Airport	68		Quarry Products Association
12		Children in Wales	71		Federation for the Blind
15		The Caravan Club	72		Association of Inland Navigation Authorities
17		Cable and Wireless Land Access & Recreation Association (LARA)	73		Wildlife & Wetlands Trust
20		Merthyr & The Valleys Mind	76		Post Office Holdings
22	Pauline Young	Viva Project	83		Pontypridd & Rhondda Community Health Council
25		Bus Users UK	88		British Waterways
27	Maureen Broadstock	TARCA	89		Coed Cymru
28		Orange Personal Communications Ltd	91		Open Spaces Society
30	Mr. Neil Maylan	Glamorgan-Gwent Archaeological Trust Ltd	96		Royal Commission on the Ancient and Historical Monuments of Wales
31	Abigail Dodds	British Wind Energy Association	100	Mr Rhodri Edwards	Fields In Trust Cymru
33		Forestry Authority (Wales)	101		Cyclists Touring Club
34	Peter Black, AM	Welsh Assembly Government	102		Methyr & Cynon Valley Community Health Council
35	Alun Cairns, AM	Welsh Assembly Government	103		Innogy plc
37	Janice Gregory, AM	Welsh Assembly Government	106		Glamorgan Wildlife Trust
39	Dai Lloyd, AM	Welsh Assembly Government	107	Mr Nigel Ajax Lewis	Wildlife Trust for South & West Wales
40	David Melding, AM	Welsh Assembly Government	114	Mr John Evans	Business in Focus
44		Welsh Liberal Democrats	120		Council for the Protection of Rural Wales
45		Institute of Directors Wales	121		Plaid Cymru
46		Freight Transport Association	122		Disability Wales
47	Mrs Wendy Richards	Design Commission for Wales	125		RWE npower
48		Welsh Historic Gardens Trust	127		National Telecommunications Ltd
51		Inland Waterways Amenity Advisory Council	129	Mr Frank Hodder	Nant Y Frwd Tennants & Residents Association
52		The Valuation Office Agency	130	Joy Bishop	Ynysbwl Regeneration Partnership
			136	Mr Phillip Thomas	P.T. Civil Engineering
			137		Farmers Union of Wales
			138	Mr Anthony Wallis	Forestry Commission / Forest Enterprise (Wales)

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation
139		Lattice Property (formerly British Gas Property)
140		National Farmers Union
142		Deaf Association Wales
143		Cardiff Bus Company
144	Haf Roberts	WWF Cymru
148		Cardiff Gypsy Sites Group
149		British Telecom
150		The Welsh Conservatives
151		Community Service Volunteers Wales
155		Camping & Caravanning Club
156	AC Helmore	Celtic Energy Ltd
157		Campaign for Real Ale
161		Stagecoach in South Wales
162		British Naturalists Association
164		TraVol Community Transport
165		Capel Hillside Residents Association
166		Countryside Alliance
172		British Association for Shooting and Conservation
173		Federation of Small Businesses
174		Arts Council of Wales
175		Partially Sighted Society
176	D.E. James	Ramblers Association (Cynon Valley Group)
177		Youth Hostel Association
178		Age Concern Cymru
179		Labour Party
181		SWALEC
183		CBI Wales
184		Cardiff Cycling Campaign
186		National Old Age Pensioners Association for Wales
187		RNIB Cymru
188		The Civic Trust for Wales
189	Paul Nagle	Telecentre & Business School Limited
192	Jeff Pride	Herian
193	Captain Richard Waters	Salvation Army
271	Dr Pauline	Sector Skills Councils

## Report of Comments and Responses

Rep No.	Name	Organisation
		Peregrine
275	Dr Huw Jones	The Sports Council for Wales
278	Miss Kath Davies	Health & Safety Executive
279	Miss Tracey Stone	Llwynypia Communities First Team
288	Mr Dylan Roberts	Welsh Language Board
292	Mr Chris Bourchier	Crown Estate Office
296	Mr Allan Fogg	Defence Estates
306	Miss Rachael Bust	The Coal Authority
309	Mr Leighton Andrews, AM	Welsh Assembly Government
316	Mr Keith Jenkins	Cwm Clydach Communities First Team
319	Mr Gary Foreman	Penywaun Enterprise Partnership
320		BT Wholesale, Network Access
332	Mr Stephen Smith	Cymmer Communities First Office
337	Mr Chris Lambart	The National Trust
342	Mr Brian Shilton	Chair, Fernhill & Glenboi Communities First P'ship
344	Mr Gerry Scicluna	Venture Wales
363	Mr Peter Clement	The Group Valuation Office
369	Mr Dafydd Morgan	Wales TUC
379	Mr Alan Maddox	Amgen
384	Mr Mike Carroll	First Great Western
387	Mr Darren Jones	Miskin Communities First
397	Mr Bernard Lewis	Penrhiwceiber Communities First Partnership
412	Mr Andrew Roberts	Perthcelyn Communities First
413	Mr Chris Meredith	Pontygwaith Communities First Office
426	Barbara Morgan	Network Rail Western
429	Mr James Parkin	Tonyrefail West Communities First Office
430	Mr Wayne Bannfield	Chamber of Trade Tonyrefail
448	Mr Ryan Bowen	Network Development Consultants
455	Mr Bryn Israel	c/o Tylorstown Communities First

## Report of Comments and Responses

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation	Rep No.	Name	Organisation
456	Mr Clifford Jones	Chair, Blaenllechau Community Regeneration	609	Jones Ms Ros Davies	Maerdy Communities First Co-ordinator
458	Mr Gwyn Poole	Communities First	610	Ms Ruth Hopkins	Interlink
459	Mr Alun Taylor	Coalfield Regeneration Trust	620	Ms Susan Davies	Chamber of Trade
468	Mr Keith Jones	KPL Precision Tooling and Die Sinking	621	Ms Manni Hothi	VALREC
473	Mr Edward Prosser	Chamber of Trade	625	Ms Margaret Jervis	Valleys Kids
477	Mr Ed Wallace	Powergen	640	Ms Polly Hearsey	BTCV
482	Mr J Roberts	Pontypridd & District Chamber of Trade & Commerce	644	Ms Carol Banwell	Bradford & Bingley
484	Mr Dave Furmage	Pontypridd YMCA	650	Ms Margaret Morris	Taff Ely Access Group
487	Mr Cenedd Thomas	Pontypridd RFC	674	Greg Byrne	Business Development Planning
502	Mr John Cooke	Ark Youth & Community Project	675	Antonia Forte	DevCo Representative
516	Mr Jonathan Jones	Wales Tourist Board	678		Play Wales
526	Mr Anthony Brown	Darranlas Communities First Co-ordinator	683	Dr Jay Kynch	Open Spaces Society
528	Mr J Knight	Pontypridd College	685		Mid Glamorgan Scout Council
539	Mrs Lindsay Morris	Abercwmboi Communities First	695		Peterston - Super - Ely Community Council
542	Mrs P Morris	Gwaunmiskin Action Group	697		Welsh St.Donats Community Council
546		Confederation of Passenger Transport UK	698		Penllyn Community Council
554	Mrs Diane Elliott	Taxi Trade Association	699		Llangan Community Council
555	Mrs Judith Toms	Chamber of Trade	700	Mrs. Helen Treherne	Penyrheol, Trecenydd & Energlyn Community Council
568	Ms Diane Prosser	Dash Training	702	Mr. A. Hoskins	Nelson Community Council
577	Ms Amanda Orrell	Cwmaman Communities First	705		Blaengwrach Community Council
580	Ms Christine Chapman, AM	Welsh Assembly Government	706	Mr. G. Morris	Glynneath Town Council
581	Ms Jane Davidson, AM	Welsh Assembly Government	708	Lucie Taylor	Planning Aid Wales
583	Ms Janet Lintern	Friends of the Earth	710	Mr Peter Huxtable	British Aggregates Association
587	Ms Susan Sexton	Cwmdare Community Action Team	711		British Geological Survey
588	Ms Michaela Thomas	Gilfach Goch Communities First	712		Centre for Ecology & Hydrology
590	Ms Mary Harvey	Glyncoch Communities First	713		Civil Aviation Authority
598	Ms Sally Jeffries	Royal Mail Property Holdings	714		The Gypsy Council
604	Ms Olwen Chislett	Beddau Art Society	715	Mr Charles de Winton	Country Land & Business Association
605	Ms Margaret Hannigan - Popp	Rhondda and Merthyr Groundwork Trust	719		Welsh Environmental Services Association
606	Ms Marianne Williams	Fernhill Communities First	720		Wales Environment Link
607	Ms Sandra	Spectacle Theatre	721		Wales Environment Link
					Wales Council for Voluntary Action

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation
722		Royal Institution of Chartered Surveyors
723		RTPI Cymru
724		Chartered Institute of Housing Cymru
725		Institution of Civil Engineers
726	Dr. Cathy O'Brien	The Chartered Institution of Waste Management
727		Rail Freight Group
728		One Voice Wales
729	Mr. Lee Cecil	The National Landlords Association
730		The Baptist Union of Wales
731		02 UK
732		T-Mobile
733		Vodafone Ltd
734		Three
735		Church in Wales
736		Evangelical Movement of Wales
737		Muslim Council of Wales
738		The United Reformed Church
739		Presbyterian Church of Wales
740		The Methodist Church in Wales
741		Cardiff Buddhist Centre
744		UK Islamic Mission
747		Cardiff United Synagogue
748	Mr. Alan Woodward	Rhigos Community Sports Association
750	Mr. Alan Woodruff	University of Glamorgan
762		Welsh Ambulance Services NHS Trust
763		Bro Morgannwg NHS Trust
764		The Princes Trust
913		Cofon
916	Mr Jeremy Bladon	CSJ Planning Consultants Ltd
922	Mr Stuart Mollard	Jacobs Babtie
923	Mr Derek Ball	RPS Group plc
925	Mr Gary Sutton	The Development Planning Partnership
927		Morgan Cole
929	Mr Richard Price	Home Builders Federation
930	Mr Robert Firth	Austin-Smith: Lord LLP

## Report of Comments and Responses

Rep No.	Name	Organisation
933	Mr Alasdair Denton	ECOTEC Research & Consulting
934	Mr Damian Barry	Atkins Planning Consultants
935	Mr Roger Prescott	Halcrow Group Ltd
936		Hodge & Co Property Holdings Ltd
937	Mr Gareth Davies	Stride Treglown Town Planning
941		Barbara Rees
942		John Thomas & Co
943		Seren Consulting Ltd
946	Mr Gareth White	Anthony Goss Planning
947	Mr Rhys Roberts	Cynefin Consultants
948	Mr Steve Anderson	Anderson Planning & Development
951		Welsh Assembly Government
955		Anwyl Construction Ltd
963		Burns B Builders Ltd
967	Mr Stephen Gibbins	Compton Developments Ltd
969		Cymric Private Developments (Swansea) Ltd
976		Hallam Land Management Ltd
977		Harrow Estates plc
979		Jones Brothers Weston Rhyn Ltd
985		Parfit Building Services
990		Stradform Ltd
1002	Professor Terry Marsden	Cardiff School of City & Regional Planning
1003		Arriva Trains Wales
1004		NTL
1007	Mr. David Cox	Renewable Energy Systems Ltd.
1009	Mr. Martin Harvey	Rodd Properties Ltd
1016	Mr. Chris Thomas	Chris Thomas Ltd
1019	Mr. Simon Jones	Capper & Co Ltd
1020	Mr Alex Wilson	Fulfords Land & Planning
1021	Nicola Vines	Alder King Planning Consultants
1023	Mr. Rob Copley	Janus, Lang & Lassalle
1025		Living Streets
1026		Arts Factory
1027	Mr. Steffan Webb	Menter Iaith Rhondda Cynon Taf
1028		Rhondda Cynon Taff Community Arts



## Report of Comments and Responses

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation	Rep No.	Name	Organisation
1029		Urdd Gobaith Cymru	1371	Mr Liam Higgs	Farrells Homecare
1030		Model House	1372	Mr M. J. Hollingsworth	Ian Metcalfe & Co
1031		Home Office Direct Communications Unit	1373		David Wilson Homes South West
1034	Ms. K. Carter	Coychurch Higher Community Council	1378	Mr David P S John	Pontypridd Market Company
1035	Mrs. L. Lake	Ogmore Valley Community Council	1382	Mr D. Vivian Jones	
1036	Mr. David Prosser	Pencoed Town Council	1395	TechRICS Mr Edmund Miles	Herbert R Thomas
1037	Mrs. S. Harvey-Powell	Ystradfellte Community Council	1398	Mr Chris J Morgan	
1038	Miss H. Blair	Llanfrynach Community Council	1400	Mr Morgan & Rees	Non Political Club
1039		Pentyrch Community Council	1401	Mrs H. L. Morgan	H.Morgan / George Stanely Ltd
1040	Mr. Mike Jones-Pritchard	Tongwynlais Community Council	1402	Mr John Morgan	John Morgan and Partners Solicitors
1041	Mr. David Duncan	Rhondda Housing Association Disability Action Group	1409	Mr Anthony Owen	Durbin Professional Property Services
1043	Rev Canon Robert Reardon	Roman Catholic Archdiocese of Cardiff	1411	Mr Simon Padfield	NSP Properties
1047	Mr. Graham Meiklejohn	EWS Railway	1416	Mr Lyn W. Rees	
1048	Mr. Simon Pickering	Passenger Focus	1423	Mr Robert Rogers	Robert Rogers Architects
1050		Travellers Aid Trust	1427	Mr Howard Smith	Clarke Associates
1304	Mr. John E. Jeremy		1431	Mrs Christine Sullivan	Sullivan Land and Planning
1305	Mr. David Welch	Welch Property Consultants	1439	Mr Peter G. Weavers	Headaway (Europe) LTD
1312	Mr J P Swallow	Site Serv Ltd	1449	Mr R. D. Williams	Robert Williams Associates
1313	Mr. A.J. North	Wallis	1452		Walters Mining Limited
1318	Mr M.M Frampton	Hanson Aggregates	1455		Robertsons
1324	Mr Isaac Benju	Anderson and Associates	1461	Mr. Clive Howell	Howell Bros The Bute Development Company Ltd
1325	Mr Colin Boon	Colin Boon Associates	1463	Mr. P.J. Elliott	
1339	Mr Nigel Dale	David Storer and Partners	1469	Mr Gareth James	James Partnership
1342	Mr D. M. Davies		1470	Mr Colin McKensie	Tinn Developments Ltd
1346	Mr H. J. Davies	Lanyon, Davies & Evans	1475	Ms Jill Evans	
1350	Mrs P. Eacott	Blackwood Design Services	1476		Newydd Housing Association (1974) Ltd
1353	Mr Nigel England	England Environmental	1477		Granmore (Abercynon) Ltd
1355	Mr Gerald Eve	Chartered Surveyed	1479	Mr J Childs	C/O Theo Jones and Co
1356	Mr Allan R. Fairfax	Fairfax & Co	1482		Penhow Plant Hire Ltd c/o BS Technical Services
1359	Mrs Samantha Frost	Riverlodge Retreat	1483	Mr Andrew Lewis	Bute Surveyors
1363	Mrs Thea Gregory	Taylor Woodrow Development LTD	1487	Messrs Roberts and Peterson	
1366	Mrs H. W. Griffiths		1488		Maindy Estates Ltd
1368	Mr David Hambly	BBA Architects	1492		Representative body of the Church in Wales
1370	Mr Michael Henderson	Also Messrs. Graham Boyce & Glyn Howard			

## Preliminary Draft Charging Schedule

## Report of Comments and Responses

Rep No.	Name	Organisation	Rep No.	Name	Organisation
1499	Mr Paul Vining	White Young Green Planning & Design	2030		Llandaff Diocesan Board of Finance
1505		DPDS Consulting Head Office	2031		Wingfield Estates
1507	Mr RPW Morse	Astleys chartered surveyors	2045		Somerfield Stores Ltd.
1509	Mr A.J. Armstrong	Adrienne Ltd	2047	Mr. Dominic David	Scarborough Development Group plc
1519	Mr M Collins	Col brooke Partners	2050		Bridgend College
1527	M.E Davies	Borough Renovation Grants Agency LTD	2052		National Grid
1528	Mr John Matthews		2053		Tarmac Limited
1532	Mr Richard Liddell	Liddell Associates	2056	Ms Dilys Howells	South East Wales Energy Agency
1537	Mr Raymond Pye	HASPS Term Partnership	2062	Mr Michael Skinner	Jehovah's Witnesses-Circuit Planning
1541		Rawlins and Madley	2075		Sporting Marvels
1542	Mr Chris Pike	Savell Bird & Axon	2080	Mrs Liz Jones	Maxibrite Ltd
1546	Mr Chris Aubrey	KTP/Chris Aubrey and co solicitors	2185	Mr Nick James	Rees Richards
1550		Traveller Law Reform Project	2196	Mr Tim Roberts	DLP Planning Ltd.
1563		Visual Homes	2197	Karen Roberts	Cwm Clydach Communities First Partnership
1575	Mr. Gregory Byrne	Gregory Byrne & Associates	2199	Sian Daffanaike	Fusion Online Ltd
1590	Mr. Dewi Hughes	Taylor's / Mordecai's Fields Allotment Association	2201		Freeman Homes
1637	Mr. Gareth Davies	Cadarn Housing Group	2205	Mr Glyn Mabey	St James Parade
1646	Mr. John Woodruff	BWEA Natural Power Consultants	2208	Mr Robert Emanuel	Emanuel Jones Chartered Surveyors
1823	Dr Tony Yule	Taf Ely (Llantrisant) Ramblers Association	2209	Pankaj Bakshi	Hodge Bakshi
1833	J S Humphreys	Aber Valley Community Council	2210	Tanya Davies	Npower Renewables
1872	Mr. Richard Dodd	Valleys Bat Group / Grwp Ystumod y Cymoedd	2223	Mr P Watkins	Woodland Leaves
1901	Anthony Carter	Celteiddwyr	2229	Ms Sioned Haf	Cymdeithas yr Iaith
1930	Mrs. M L Middlehurst	Fernhill Rhondda Conservation Group	2235	Mr D. L Williams	Robertson Francis Architects
1940	D Manuel	Cefn & Mwyndy Residents Association	2237	Ms Sarah Williams	Rowland Jones & Ptnrs
1946	Ms. Wendy Morgan	YGG Pontsionnorton	2246	Claire Norris	Lambert Smith Hampton
1960		Communities and Local Government	2249	Mr Lee Weatherall	
1964	Roger Tym	Roger Tym & Partners	2251	Ms Carol Owen	National Public Health Service for Wales
2018		Westgate Park (Llantrisant) Ltd	2257	Mr Clive Long	Primary Asset Ltd
2022		The Treforest Unit Trust (C/O SEGRO)	2258	Mr James Edwards	Colliers CRE
2027		Forgemasters	2265	Mr Ben Winstanley	King Sturge LLP
2028		Western Power Distribution	2281	Christopher Franks, AM	Welsh Assembly Government
			2282	Andrew Davies, AM	Welsh Assembly Government
			2283	Bethan Jenkins, AM	Welsh Assembly Government
			2287	Mr Ian Dunston	Wales & West Utilities
			2296	Mr Mark Flood	Wilbraham Associates Limited
			2297	Mr David Rees	Bute Development Company Ltd
			2300	Ms Jacqueline Hayter-Rogers	South Wales Police
			2303		Smith and Tuckwood Partnership



## Report of Comments and Responses

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation	Rep No.	Name	Organisation
2310	Mr Richard Frost	Bruton Knowles	2379		Pontypridd Womens Aid Information Centre
2311	Ms Nicola Berry	Pegasus Planning Group	2380		Valley of Hope
2316	Mr Mark Farrar	Powell Dobson	2387	Mr David Morris	Pre-Hospital Emergency Care Training Agency
2318		Capita Symonds Glamorgan Consultancy	2398	Ms Pauline Jones	Secretary of Rhondda Riding Club
2321	Mr David Bell	LDA Design	2505		Equality and Human Rights Commission
2322		CB Richard Ellis	2516		GMB
2323	Ms Jayne Komor	Health, Social Care & Well-being	2526		Ynysangharad Surgery
2338		Dewis Centre for Independent Living	2530		V. Griffiths & Sons Ltd
2339		Learning Disability Wales	2569	Mr Travis Wattlely	
2340		Disabled Children's Team	2826	Ms Jenny O'Hara Jakeway	Glyncoch Community Partnership
2343		Age Concern - Community Outreach Team	2985	Mr Steve Staines	Friends, Families & Travellers
2344	Mr Robert Antonio	Pathways to adapted Housing	3014	Mr Nigel Brock	Brocks Engineering Ltd
2347		Rhondda Cynon Taf Youth Offending Service	3087	Mr David Whiteman	Saurus Ltd (UK)
2350	Ms Rhian Dash	Cancer Support Cynon Valley, Rhondda Cynon Taf	3116	Mrs Stephanie Davies	Briars Bridleways
2355		GMD Centres for Deaf People	3193	Mrs. Hannah Gulwell	Green and Friendly Action (Glyncoch)
2356		The Ark Youth and Community Project	3199	Dr Stuart Watcham	Technia Business Solutions Ltd.
2357		Chequers Youth Facility	3201	Mr. Michael Edwards	Maes-y-coed Primary School
2359		Welsh Scout Council	3203	Mr Alun Cox	Rhondda Constituency Plaid Cymru
2360		Fernhill Youth Project	3215	Nicola Davies	Rhondda Cynon Taff Local Health Board
2362		Mountain Ash YMCA	3234	Mrs Jeanne Hyett	British Horse Society
2363		Penygraig Community Project	3235		Centrica Energy
2365		National Council of YMCA's of Wales	3236	Mr Piers Guy	Nuon Renewables
2366		Penderyn Youth Project	3240	Mr Anthony Carter	South Wales Fire and Rescue Service
2368		Ystrad Boys and Girls Club	3241		Ludlow Street Investments Ltd
2371		Shelter Cymru	3246		Garrison Barclay Estates Ltd
2372		Crisis	3249	Mr & Mrs David & Catherine Millichap	Messrs Davies & Millichap
2373		Nebo Sheltered Accommodation Complex	3251	Mr Richard G Hepton	Alexon International Limited
2375		Apex Charitable Trust Ltd	3254		Southward Properties Ltd
2376		Rhondda Cynon Taf Youth Offending Service	3260	Mr Mark Davies	Jointly with Mrs A. Brown
2377		Nacro	3265	Mr Jamie Jenkins	C/O Smith & Tuckwood
2378		The Salvation Army	3267	Messrs R & A Williams	R & A Williams & L Jenkins

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation
3268		Dowlais Top Investment Company Limited
3272		Piper Homes
3278	Peter Nelson	Service Land Fund (No. 1) Ltd
3280		Elete Design Ltd
3281		Macob
3286		Aknan Global Developments
3289		Phoneray Limited
3292		Cwm Taf NHS Trust
3295		Valad Developments (Llantrisant) Ltd
3296	Mr Mark Phillips	Dorchester Land
3297	Mr Jason Edwards	Edwards Coaches
3299	J.A. & P.K. Harkins	Harkins Haulage
3303	Mr Ken Price	KGJ Price (Railway Sleepers) Ltd.
3304	Mr. Bernard Llewellyn	Also Mr. Brian Clarke
3305		Cockspur Property Limited
3308		Scarford (Hirwaun) Ltd
3313		RREEF Ltd & SWIP (Scottish Widows Investment Partnership)
3314	Leanne Wood, AM	Welsh Assembly Government
3315	Mr Geoff Barrington Williams	Arena Supplies Ltd
3387	Ms Theresa Parsell	CwmNi
3395	Mr Andrew Bromley	Mineral Products Association Ltd
3396	Mr Chris McGough	Warner Ashtenne
3409	Mr Lyndon Bengough	Ymlaen Glyncoch
3433	Ms Rebecca Mattingley	Sports Council for Wales
3438	Ms Rose Freeman	The Theatres Trust
3440	Mr Gwyn Smith	Sustrans
3450		Crabtree & Evelyn
3451	Mr Lee Hayward	BBC Cymru Wales
3582		Credit Suisse
3583		Caerphilly Town Council
3584	Mrs Judith Roberts	Pendoylan Community Council
3585	Ms Barbara Waldon	Country Land and Business Association
3593	Ms Maria Battle	Consumer Focus Wales
4164	Mrs Ellen Henshaw	Tonyrefail Scout Group
4198	Ms Su J Curtis	Lafage Aggregates Ltd
4200	Ms Madeline Palmer	Melia Kesh Ltd

## Report of Comments and Responses

Rep No.	Name	Organisation
4640	Fiona Morgan	Cardiff University
6000		HLN Architects Ltd
6001	Mr Paul Overton	
6002	Mr Stewart Lowther	Atmos Consulting
6003	Mrs Davies	
6004	Mr David Evans	
6005		Messers Davies and Millichap
6006		
6007		DMC Partnership
6008	Mr & Mrs T.R. Cole	
6009	Mr Peter Nelson	Camland Developments
6010	c/o Mitchells & Butler PLC	Harvester Head Office
6011	c/o Mitchells & Butler PLC	Toby Carvery Head Office
6012		Cofton (Wales)
6013		BIRA - British Independent Retailers Association
6014		Taylor Wimpey Homes
6015	Mr Mark Scoot	Amethyst Properties Investments Limited
6016		Anchor Mill Homes
6017		Wm Morrison Supermarkets PLC
6018		Evans & Traves LLP
6019		McCarthy & Stone Retirement Lifestyles Ltd
6020		Castle Solicitors
6021		J J Hatfield & Co Ltd
6022		Malcolm Judd & Partners
6023	Mr Fergus Charlton	Burges Salmon LLP
6024		WDA Property Investments Ltd
6025	Ms Jo-Ann Middleton	Crest Nicholson (South West) Ltd
6026	Mr Keith Simmons	Bryant Homes by Taylor Woodrow
6027		Sutherland PLS Ltd
6028		Michael Phillis
6029	Mrs Madeline Palmer	C B Richard Ellis
6030		Cumbrian Homes Ltd
6031		G Powys Jones
6032		Lamb & Co
6033	Mr Rob Peters	Turley Associates
6034	Mr Gareth Williams	Nathaniel Litchfield and Partners
6035	Miss Holly Atkinson	AECOM
6036		Town Planning Consultancy



## Report of Comments and Responses

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation	Rep No.	Name	Organisation
6037		Barton Wilmore	6077	Mr Owen Jones	Boyer Planning
6038		GVA Grimley	6078	Mr Simon D Kennedy	Kennedy James Griffiths
6039	Ms Emma Langmaid	Prospero Planning	6079		Asbri Planning Ltd
6040	Mr Scott Caldwell	Savills	6080		George Wimpey
6041	Mr Afron Hughes	Development Planning Partnership	6081		Spire Healthcare (Cardiff Office)
6042		Gerald Evans	6082	Mr Peter Waldron	WYG
6043	Mr Mike Catris	MCSB	6083		Glamorgan and Gwent Housing Association Ltd
6044		Tribute Homes Ltd	6084		Linc-Cymru Housing Association
6045	Mr Shawn Cullen	Atisreal UK	6085		Wales and West Housing Association Ltd
6046	Miss Claire Harrison	BNP Paribas Real Estate	6086		C2J Architects
6047		Network Management Group	6087		Aelwyd Housing Association Ltd
6048		DTZ Pieda Consulting Cardiff	6088	Mr John Evans	Jaylae Consulting LLP
6049	Mr Simon Lloyd	Cooke & Arkwright	6089		Kelvin Francis & co
6050		Pentan Partnership	6090	Mr David Jones	Hyder Consulting (UK) Ltd.
6051		British Dental Association Wales Office	6091		David McLean
6052		Capital Law Commercial	6092		Elan Homes Southern Ltd
6053	Mr Simon Power	ARUP	6093	Mr Gyan Ghuman	Parkgrove Ltd
6054	Mr Sean Hannaby	Scott Brownrigg	6094		Emporium Consultants Ltd
6055		United Welsh Housing Association	6095		R C Hathaway
6056		Ian McDonald	6096		Lidl
6057	Ms. Angela Khudonaz	Parsons Brinckerhoff	6097	Mr Arfon Hughes	Mango Planning and Development Limited
6058	Mr Gareth Hooper	DPP	6098		Urban Investment Wales Limited
6059		AMEC	6099	Mr Andrew Coombs	Tremlett & Griffiths Ltd
6060		Kings Court (Wales) Limited	6100		John Mathews Planning
6061	Mr Geraint John	Geraint John Planning	6101	Mr Jonathan Waters	Planabuild Limited
6062		Lawray Architects	6102		Centre for Engineering, Research & Environmental
6063		DCD Planning	6103		Pontypride Taxpayers
6064		Building Logistics	6104		Pontypridd & Rhondda NHS Trust
6065		Connections Design	6105		D.J.Dodd
6066	Mr Ron Milson		6106	Mr Roger Leek	Leek & Weston Ltd
6067	Mr Andrew Muir	Harmers Limited	6107		D.Rhys Davies
6068	Mr Steve Williams	Charles Church WALES	6108	Mr Matthew Davies	Davies Homes Ltd
6069		Welsh Health Estates	6109	Mrs Antonia Forte	Pontypridd and District Housing Association
6070		Barratt Homes	6110	Mrs Antonia Forte	Pontypridd & District Housing Association
6071		Coleg Morgannwg	6111		Markal Homes Ltd
6072		Ball & co	6112		GAFA
6073		C.T Design Services			
6074		Lovell			
6075	Mr J.I. Herbert	Herbert D (Builders) Ltd			
6076	Mrs Jane Carpenter	Redrow Homes (South Wales) Ltd			

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation
6113		John Avon
6114	Mr Morgan	
6115	Mr Paul Rees	
6116	Mr Leigh Dickson	Dickson consulting
6117		Medway Office
6118	Mr Vaughan Collins	
6119		Alpine Construction
6120		E.John Walters
6121	Mr D.W. Rees	
6122		Rhondda Development Company
6123		D Jones & Son Builders (Porth) Ltd
6124	Mr & Mrs Coles	
6125	Mr Sean Tristran	Rhondda Housing Association
6126		David Layton
6127	Mr Huw Williams	H. D. Williams Ltd
6128	Mr Williams	Mid Rhondda Chamber of Trade
6129	Mr Martin Dyer	
6130		Ceima Ltd
6131	Mr M.J. Burke	
6132		W Scorey
6133	Mr I Parsell	Gallery Loft Conversions
6134	Mrs Julie Jenkins	
6135		Allan Stuckey Architects
6136		Aberdare Developments Ltd
6137	Mr T.J. Howell	
6138	Mr John Butcher	WDL Homes Ltd
6139	Mr Mark Davies	
6140	Mr David Vivian Jones	D Vivian Jones TechRICS
6141	Mr Tony Schott	Tower Colliery
6142		Cynon Taf Housing Association
6143	Mrs Carol Owen	RCT Local Health Board
6144		North Glamorgan NHS Trust
6145	Mr Paul Thomas	Utopia Design
6146		K Bateman
6147		G.Pritchard & Co
6148		Wrencell Limited
6149		Taff Housing Association
6150		Welsh Federation of Housing Associations
6151		Hafod Housing Association
6152		Hendre Housing Association Ltd

## Report of Comments and Responses

Rep No.	Name	Organisation
6153		Chris J Morgan
6154		Beaver Construction (Wales) Ltd
6155	Mr Jeremy Peter	Jeremy Peter Associates
6156		Zenith Design Solutions
6157	Ms. Lorraine Jones	Watts & Morgan
6158	Mr Alan Fairfax	Fairfax & Co
6159		Andrew & James Partnership
6160	Mr P. Roberts	
6161	Mr Neil Mclean	Fidmac Ltd
6162		John Fairfax
6163		HRT Chartered Surveyors
6164		T. R. Davies Limited Chartered Surveyors
6165	Mr Roger Roberts	R R Architects
6166	Mr Simon Grey	Llanmoor Development Co.Ltd
6167	Mr Hywel Davies	
6168	Mr Graham Mellor	GPM Planning Services Ltd
6169		K J G Price
6170	Mr T. Wood	
6171	Mr John Harvey	Persimmons Homes Ltd
6172		R.Gordon Norman
6173	Mr. Raymond Long	
6174		CDE Evans HoldingsLtd
6175		Michael Leighton Jones Solicitors
6176		Simon Farr Associates
6177		T S Edwards and Son
6178		GAP Architectural & Engineering Design Services
6179		Lyn Davies
6180		Caswell Jones
6181		Geraint Lewis
6182	Mrs Tracey Brooks	
6183	Mr Mick Antoniw	Welsh Government
6184		F G Whitley & Sons Co Ltd
6185		Blue Sky Planning Ltd
6186	Mr Mike Robinson	M.R.A Robinson Architectural consultant
6187		Entec UK Ltd
6188		Handmade Burger Co. Head Office
6189	Mr Paul Foley	Aldi UK Head Office
6190		Marston's Pub Company Head Office



## Report of Comments and Responses

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation	Rep No.	Name	Organisation
6191		Sainsbury's PLC	6225		DHA Planning
6192	Ms Claire Davies	DTZ	6226		Domino's Pizza Head Office
6193	Ms Dawn Shepherd	Geddes Consulting	6227		McDonalds Head Office
6194		Stephen Gunning	6228		Greggs PLC Head Office
6195		Tesco PLC Head Office	6229		Boots Head Office
6196		Leith Planning Ltd	6230		British Health Care Association (BHCA)
6197		Mono Consultants Ltd	6231		Mr & Mrs Brimble
6198		Farmfoods Ltd Head Office	6232		Mr & Mrs Mike Roberts
6199	Mr David Herbert	Robert Hitchins Limited	6233		Mr & Mrs W Richards
6200	Mr Barry Cummins	Bovis Homes Ltd	6234		Ian Brimble
6201		Pegasus Retirement Homes plc	6235		Oakdale Design Services Ltd
6202		Association of Convenience Stores	6236		Granville-West Chivers & Morgan
6203		Landare Investments Ltd	6237		C P Construction (Gwent) Ltd
6204		Foxglove Properties (Jersey Ltd)	6238		Jim Davies Civil Engineer
6205	c/o TJ Morris Ltd	Home Bargains Head Office	6239		T H Griffiths
6206		JRHomes (Wales) Limited	6240		Mr Norman Windsor
6207		Peter Weavers Business Services	6241		Patchell Davies Solicitors
6208	Mr Ian Roberts	Ian Roberts Consultancy	6242		M J Associates
6209		Montague Harris & Co.	6243		Craftwood Design Services
6210		Brantano UK Limited Head Office	6244	Mr Derek George	
6211		Merriman Ltd	6245	Mr Derek Brown	Formaction Ltd
6212	Mr Joe O'Donnell	Castlemead Homes Ltd	6246		Mr Michael McLoughlin
6213		Castlemead Group Limited	6247		Planspeople
6214	Ms Kerry James	Kerry James Planning	6248	Mr Peter Mills	Wyndel Properties
6215	Mr Adam Davies	Alex Davies Construction Ltd	6249		The Musker Sumner Partnership
6216	Mr Peter Lloyd	PLPlanning	6250	Mr Louis Chicot	Louis Chicot Associates
6217	Mr Owain Wyn	Burum- Owain Wyn Consultancy Services	6251		R E Phillips
6218	Mr Elfed Williams	ERW Consulting	6252		Bluewater Homes Ltd
6219		Asda Head Office	6253		Greenland Homes
6220		Peacock & Smith Limited	6254		Kevin Nield Associates
6221	c/o The Whitbred Group PLC	Brewers Fayre	6255		John Milsom Consultant Surveyors
6222		Beefeater Whitbred Group PLC Head Office	6256		Newland Rennie Wilkins
6223	Ms. Claire Pilling	Mathews and Goodman	6257		Benfield ATT Ltd
6224		The Co-operative Group	6258		Mr Nathan Gould
			6259		Melin Homes Ltd
			6260		Everett, Tomlin, Lloyd & Pratt Solicitors
			6261	Mr Mark Harris	Lewis Homes
			6262		DLJ Partnership
			6263		Derek Prosser Associates

## Preliminary Draft Charging Schedule

Rep No.	Name	Organisation
6264		Enviroparks (Hirwaun Ltd)
6265	Mr Steve Briggs	Smiths Gore
6266		AB Planning
6267		De Pol Associates
6268		David L Walker
6269		Howe Properties
6270		CPL Industries Ltd
6271		Little Chef Head Office
6272		KFC Head Office
6273		Tai Cwmdogaeth
6274	Mr Mark Shereves	S G Williams Associates
6275	Mr Mark Shreves	SG Williams and Associates
6276		CDN Planning
6277		Environmental Resources Management Ltd
6278	Mr Matthew Jarrold	Herbert R Thomas LLP
6279		Owen Banks Planning & Development
6280	Mr Robert Williams	WRW Developments Ltd
6281	Mr Jason Evans	J Evans Planning Ltd
6282	Mr Colin Richards	
6283		South Meadows Homes Ltd
6284	Mrs Linda Jones	Acanthus Holden
6285		Frankie & Benny's Head Office
6286		Association of British Healthcare Industries (ABHI)
6287		Burger King UK Ltd Head Office
6288	Mr Barry Meade	Davis Meade
6289		B&Q Head Office
6290		Argos Ltd Head Office
6291		Nandos UK Head Office
6292		Lidl UK
6293		House Builders Federation
6294	Mr Owen Smith	House of Commons
6295		BRC - British Retail Consortium
6296		Sigma Planning Services
6297		W H Smith PLC Head Office
6298		Debenhams Head Office
6299		Compco Holdings Limited, Marcol Group

## Report of Comments and Responses

Rep No.	Name	Organisation
6300		Marks and Spencer Head Office
6301		Crabtree & Evelyn Head Office
6302		McDyre & Co
6303		Food and Drink Federation UK
6304		TK Maxx Head Office
6305		J.D. Wetherspoon Head Office
6306		Matalan Head Office
6307		BFBi - The Brewing Food & Beverage Industry Suppliers Association
6308		Bellway Homes Ltd
6309	Mr Steve Jarvis	
6310	Mr Andrew Freeguard	Rhondda Cynon Taf Homes



Appendix 5: Web Pages

**Browse by Services:**

- Home
- Environment, Planning & Waste
- Planning
- Development Plans
- Community Infrastructure Levy (CIL)
- Community Infrastructure Levy

**Information for:**

- Businesses
- Carers
- Disabled People
- Landlords
- Low Income Families
- Older People
- Parents / Guardians
- Students
- Tourists
- Young People

**A to Z of Services**

A	B	C	D	E	F
G	H	I	J	K	L
M	N	O	P	Q	R
S	T	U	V	W	X
Y	Z				

## Community Infrastructure Levy

### What is the Community Infrastructure Levy (CIL)?

The Community Infrastructure Levy (CIL) is a new levy that local authorities in England and Wales can choose to charge on new developments in their area.

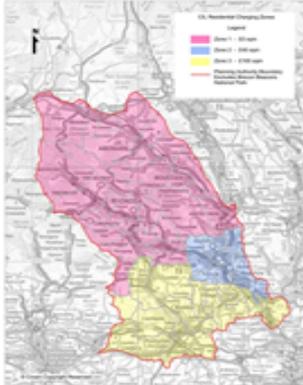
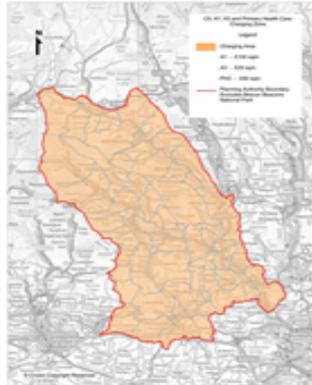
The finance generated from CIL will be used to fund the provision of new or improved infrastructure that will support new development in the region. This could include new roads, public transport and schools.

The fixed charge will apply to the development of at least one new dwelling and/or other new commercial development over 100 sq m in floorspace.

### What is the proposed CIL level?

For residential development the CIL charge is proposed at different rates in 3 zones across the County Borough. For commercial development a single charging zone will apply for the respective CIL rates shown below.

CIL Zone Maps (click to enlarge)

Residential Rates		Commercial Rates	
Zone	CIL Rate per sq m	Development	CIL Rate per sq m
1	00	Retail (A1)	£100
2	£40	Retail (A2)	£25
3	£100	Primary Healthcare (D1)	£50

**How will CIL work?**

If you build a new house with a typical floorspace of 90 sq metres you will pay a CIL charge of:

Zone 1 - no charge  
 Zone 2 (£40 per sq metre) = £3,600  
 Zone 3 (£100 per sq metre) = £9,000

If you build a new shop, a single charge will be payable at £100 per sq m. The CIL charge will not apply to existing retail development.

**What will CIL money be spent on?**

CIL money will be spent on the infrastructure required to support development in the County Borough. The Council has identified a number of projects and infrastructure in its *Local Development Plan*, which are required to support new growth.

**When will the local CIL come into force?**

Timescale for adoption

Stage	Proposed Timescale
Consultation on Preliminary Charging Schedule	November 2012/January 2013
Consultation on Draft Charging Schedule	July/August 2013
Examination	January/February 2014
Inspector's Report	March 2014
Implementation of CIL	April 2014
Annual Monitoring Report	December 2015

**CIL Regulations and Guidance**

Further information on CIL is available by clicking the links below:

Document	Date
<a href="#">The Community Infrastructure Levy (CIL) Regulations</a>	2010
<a href="#">The Community Infrastructure Levy (Amendment) Regulations</a>	2011
<a href="#">Department for Communities and Local Government (DCLG) CIL Guidance</a>	
<a href="#">Rhonda Cynon Taf CIL Newsletter</a>	2012
<a href="#">CIL Preliminary Charging Schedule</a>	2012
<a href="#">Economic Viability Study</a>	2012
<a href="#">Infrastructure Assessment Background Paper</a>	2012

If you require further assistance please contact:

Rhonda Cynon Taf County Borough Council  
 Spatial Development Team  
 Regeneration and Planning  
 Floor 2  
 Sando House  
 Sando Road  
 Pontypridd  
 CF37 1DU

Tel: 01442 494725  
 E-mail: [LDP@rhonda-cynon-taf.gov.uk](mailto:LDP@rhonda-cynon-taf.gov.uk)

**Browse by Services:**

**Information for:**

- > Businesses
- > Carers
- > Disabled People
- > Landlords
- > Low Income Families
- > Older People
- > Parents / Guardians
- > Students
- > Tourists
- > Young People

**A to Z of Services**

A	B	C	D	E	F
G	H	I	J	K	L
M	N	O	P	Q	R
S	T	U	V	W	X
Y	Z				

## Community Infrastructure Levy (CIL) Consultation

The Council is currently consulting on the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule from the **4th December 2012 to the 14th January 2013**.

Consultation

Consultation Document	Date
Community Infrastructure Levy: Preliminary Draft Charging Schedule	November 2012

Evidence Base

Evidence Base Documents	Date
Study into the Economic Viability of Charging Community Infrastructure Levy in Caerphilly, Merthyr and Rhondda Cynon Taf County Borough Councils	2012
Rhondda Cynon Taf Local Development Plan Infrastructure Assessment Background Paper	2012

**Where to view documents**

The Preliminary Draft Charging Schedule and associated documents can be viewed at Sardis House, Sardis Road, Pontypridd, at local libraries, main Council Offices and One 4 All centres.

**How to make a representation**

The Council is inviting representations on the Community Infrastructure Levy Preliminary Draft Charging Schedule from the **4th December 2012**.

If you wish to comment please complete one of the representation form options below:

Representations

Representation Form Options
<a href="#">Adobe PDF</a>
<a href="#">Click here to e-mail a request for a Microsoft Word</a>
<a href="#">Online Questionnaire</a>

Completed forms should be returned to the address shown below or sent by e-mail [ldp@rctcbc.gov.uk](mailto:ldp@rctcbc.gov.uk) to arrive **by 5pm on the 14th January 2013**.

Rhondda Cynon Taf County Borough Council  
 Spatial Development Team  
 Regeneration and Planning  
 Floor 3  
 Sardis House  
 Sardis Road  
 Pontypridd  
 CF37 1DU

**Further information on CIL** is available by viewing the [Community Infrastructure Levy \(CIL\) page](#).



## Appendix 6: Public Notice

Planning Act 2008  
Planning and Compulsory Purchase Act 2004  
Community Infrastructure Levy, England and Wales  
Community Infrastructure Levy Regulations 2010  
The Community Infrastructure Levy (Amendment) Regulations 2011

**Notice of Consultation of Rhondda Cynon Taf Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (Regulation 15)**

Rhondda Cynon Taf County Borough Council hereby gives notice that it has published for inspection the **Rhondda Cynon Taf Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule**.

This has been prepared in accordance with the CIL Regulations 2010 (as amended) and the Planning Act 2008 (as amended). The Preliminary Draft Charging Schedule and other supporting evidence is available for inspection free of charge at the Council office in Sardis House, Sardis Road Pontypridd, from the 22nd November - 19th December 2012.

The documents will also be available in the following locations throughout Rhondda Cynon Taf during their opening times; Council offices: The Pavillions, Clydach Vale; One for All Centres: Rock Grounds Aberdare, Bronwydd House Porth, Treorchy Library and Mountain Ash Library and in Libraries at Abercynon, Aberdare, Beddau, Church Village, Cilfynydd, Cwmbach, Fendale, Glyncoch, Hirwaun, Llantrisant, Maerdy, Mounta in Ash, Nantgarw, Penrhiwceiber, Penygraig, Pontyclun, Pontypridd, Porth, Rhydyfelin, Ton Pentre, Tonypany, Tonyrefail, Treherbert, Treorchy, Tylorstown, Ynysgir, Ynysybwl and the mobile library service.

They are also available to view on the Council's Website at [www.rhondda-cynon-taf.gov.uk](http://www.rhondda-cynon-taf.gov.uk)

Representations (including objections) in respect of the Community Infrastructure Levy Preliminary Draft Charging Schedule should be sent in writing to Simon Gale, Service Director of Planning, Floor 3, Sardis House, Sardis Road, Pontypridd, CF37 1DU or made on line at [www.rhondda-cynon-taf.gov.uk](http://www.rhondda-cynon-taf.gov.uk) or via email at [ldp@rctcbc.gov.uk](mailto:ldp@rctcbc.gov.uk) before 5.00pm on the 19th December 2012. Representations (including those taking the form of objections) should specify the matters to which they relate.

Further information is available from [www.rhondda-cynon-taf.gov.uk](http://www.rhondda-cynon-taf.gov.uk) or at the following address:

Spatial Development  
Regeneration and Planning  
Floor 3  
Sardis House  
Sardis Road  
Pontypridd  
CF37 1DU  
01443 494735

Deddf Cynllunio 2008  
Deddf Cynllunio a Phrynu Corïodol 2004  
Ardoll Seilwaith Cymunedol, Cymru a Lloegr  
Rheoliadau Ardoll Seilwaith Cymunedol, 2010  
Rheoliadau Yr Ardoll Seilwaith Cymunedol (Diwygiad)

**Rhybudd o'r ymgynghoriad ar Ddrafft Rhagarweiniol o'r Rhestr Codi Tâl Ardoll Seilwaith Cymunedol (ASC) Rhondda Cynon Taf (Rheoliad 15)**

Mae Cyngor Bwrdeistref Sirol Rhondda Cynon Taf yn rhoi rhybudd ei fod wedi cyhoeddi'r **Drafft Rhagarweiniol o'r Rhestr Codi Tâl Ardoll Seilwaith Cymunedol Rhondda Cynon Taf** ar gyfer ei archwilio.

Caifodd hyn ei baratoi yn unol â Rheoliadau 2010 ASC (fel y'i diwygiwyd) a Deddf Cynllunio 2010 (fel y'i diwygiwyd). Mae'r Drafft Rhagarweiniol o'r Rhestr Codi Tâl a thystiolaeth ategol arall ar gael i'w harchwilio am ddim yn swyddfa'r Cyngor yn Nhŷ Sardis, Heol Sardis, Pontypridd, o'r 22ain o Dachwedd - 19eg o Ragfyr 2012.

Bydd y dogfenau hefyd ar gael yn y lleoliadau canlynol ledled Rhondda Cynon Taf yn ystod eu horiau agor; Swyddfeydd y Cyngor: Y Pavillions, Cwm Clydach; Canolfannau ibobur: Rock Grounds Aberdâr, Tŷ Bronwydd y Porth, Llyfrgell Treorci a Llyfrgell Aberpennar ac yn llyfrgelloedd Abercynon, Aberdâr, Beddau, Cilfynydd, Cwmbach, Glynrhedynog, Glyn-coch, Hirwaun, Llantrisant, Y Maerdy, Aberpennar, Nantgarw, Pendyus, Penrhiwceiber, Pentre'r Eglwys, Pen-y-graig, Pont-y-clun, Pontypridd, Y Porth, Rhydyfelin, Ton Pentre, Tonypany, Tonyrefail, Treherbert, Treorci, Ynysgir, Ynysybwl a'r gwasanaeth llyfrgell deithiol.

Gallwch hefyd eu gweld ar wefan y Cyngor ar: [www.rhondda-cynon-taf.gov.uk](http://www.rhondda-cynon-taf.gov.uk)

Dylai sylwadau (gan gynnwys gwrthwynebiadau) mewn perthynas â'r Drafft Rhagarweiniol o'r Rhestr Codi Tâl y Seilwaith Cymunedol gael eu harfon yn ysgrifenedig at Simon Gale, Cyfarwyddwr Gwasanaethau Cynllunio, Llawr 3, Tŷ Sardis, Heol Sardis, Pontypridd, CF37 1DU neu ar-lein ar [www.rhondda-cynon-taf.gov.uk](http://www.rhondda-cynon-taf.gov.uk) neu ar e-bost at [cdll@rctcbc.gov.uk](mailto:cdll@rctcbc.gov.uk) cyn 5.00yh ar y 19eg o Ragfyr 2012. Dylai sylwadau (gan gynnwys y rheiny sydd ar ffurf gwrthwynebiadau) nodi'r materion y maen nhw'n ymwneud â nhw.

Mae rhagor o wybodaeth ar gael ar [www.rhondda-cynon-taf.gov.uk](http://www.rhondda-cynon-taf.gov.uk) neu o'r cyfeiriad canlynol:

Datblygu Gofodol  
Adhysio a Chynllunio  
Llawr 3  
Tŷ Sardis  
Heol Sardis  
Pontypridd  
CF37 1DU

01443 494735



**Appendix 7: Developer Panel Minutes**

<p><b>RHONDDA CYNON TAF DEVELOPER FORUM - CIL PRELIMINARY DRAFT CHARGING SCHEDULE</b></p> <p><b>Meeting:</b> 11<sup>th</sup> December 2012, Cynon Suite, Valleys Innovation Centre, Navigation Park, Abercynon</p>	 <p>STRONG HERITAGE   STRONG FUTURE <b>RHONDDA CYNON TAF</b> TRETTADAETH GADARN   DYFODOL SICR</p>
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**Present:** Richard Price, Mark Newey, Christine Sullivan, Andrew Carbis, Ben Porte, Scott Caldwell, Pip Cole, Louise Darch, Paul Williams, Neil Phillips, Claire Giles, Rhian Kyte, Dave Lucas, Craig Watkins, Nick Tyldesley, Nicola Gulley, Gareth Hall, Rebekah Stephens, Owen Jones.  
**Apologies:** Darrell Powell, Gareth Hooper, Simon Grey, Victoria Bolton

Agenda Item	Discussion Points	Timescale
<p><b>2. Findings of the Economic Viability Study; Presentation by Nick Tyldesley, DVS</b></p> <p><b>3. Community Infrastructure Levy in Rhondda Cynon Taf; Presentation by Gareth Hall, RCT</b></p>		
<p><b>4. Workshop/Discussion A) Charge for Residential Development</b></p>	<p>There was a general introduction to the CIL Charging Boundaries in RCT.</p> <ul style="list-style-type: none"> <li>• The question was raised on the physical proximity of properties which are within different charging zones - The Council stated that this was considered in preparing the zones, basing them on recognised ward boundaries.</li> <li>• Discussion on the higher level charge in the area of Tonyrefail. It was considered this was too high and unviable and perhaps a figure of £50 would be more appropriate.</li> <li>• The Council confirmed that the CIL charging level, once adopted, is a set one, with very few potential arguments for exemption and advised that this is the opportunity for the development industry to discuss the</li> </ul>	<p>Comments to be submitted to RCT by the 14<sup>th</sup> January 2013</p>



	<p>charging levels and shape the approach to CIL.</p> <ul style="list-style-type: none"> <li>• A particular concern was raised relating to the breadth of other requirements expected from developments e.g. higher standard buildings regulations, sprinklers coming from new national standards, and affordable housing etc.</li> <li>• The Council advised that it had been mindful of these issues in developing its approach to CIL.</li> <li>• Developers sought clarification of what is requirements are to be included in CIL and what are to be addressed by S106. The Council that it did not have a definitive Section 123 list, but that , site specific issues such as affordable housing, highway access and possibly on-site open space are likely to be addressed through S106..</li> <li>• The Developers commented that the higher charging rate was very close to the upper limit of £125. The Council advised that the Economic Viability Study looked at a range of housing sites across the study area and that the Council and DV were happy that the approach taken to setting the charge was appropriate.</li> <li>• The Developers commented that one of the most significant issues was the impact the impact that CIL would have on land values. Concern was expressed that many landowners simply wouldn't release land for development.</li> <li>• Developers asked if the income raised through CIL would be enough to fulfil desired Infrastructure requirements ? - In the Council advised that until such time a s the Regulation 123 list was produced that it was difficult to provide a definitive answer, but that clearly there is a significant funding gap in RCT.</li> <li>• There was a further discussion on sprinklers and that it appears very likely to be taken forward by Welsh Government. The Developers indicated that the cost of installing sprinklers is approximately £800 per flat and £3,000 per household, which will significantly affecting a site's viability.</li> <li>• WG advised that the Inspectors report on CIL is not binding.</li> <li>• The issue of Regional Planning was discussed. .</li> </ul>	
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<p><b>4B) Charge for Commercial Development</b></p>	<ul style="list-style-type: none"> <li>• Developers asked if the Council was expecting many applications for commercial development in RCT. The Council advised that there was currently a range of interest and proposals for A1 developments in RCT.</li> <li>• Developers asked whether CIL raised from commercial development could be used and justified in paying for (for example) education, to which it would have no connection. The Council It was explained that the CIL income could be used in the way suggested.</li> <li>• The definition of highway infrastructure was discussed and whether site specific charges should apply from the nearest strategic route to the development site or just account for immediate site access.</li> <li>• Developers suggested that future LDP monitoring should include CIL and explain how strategic objectives are being met.</li> </ul>	<p>Comments to be submitted to RCT by the 14<sup>th</sup> January 2013</p>
<p><b>4C) Instalments Policy</b></p>	<ul style="list-style-type: none"> <li>• The Developer Group considered that it may be more appropriate for the payment of instalments to be linked to delivery i.e. the number of houses built, as opposed to time from the commencement of development.</li> <li>• The Council recognised the issue and agreed to look at the approach that could be taken through the process.</li> </ul>	<p>Comments to be submitted to RCT by the 14<sup>th</sup> January 2013</p>



Representor No	Representor	Organisation
4		National Library of Wales
426	Barbara Morgan	Network Rail Western
683	Dr Jay Kynch	Open Spaces Society
715	Mr Charles de Winton	Country Land & Business Association
929	Mr Richard Price	Home Builders Federation
1036	Mr. David Prosser	Pencoed Town Council
1823	Dr Tony Yule	Taf Ely (Llantrisant) Ramblers Association
3438	Ms Rose Freeman	The Theatres Trust
6017		Wm Morrison Supermarkets PLC
6019		McCarthy & Stone Retirement Lifestyles Ltd
6123		D Jones & Son Builders (Porth) Ltd
6164		T. R. Davies Limited Chartered Surveyors
6165	Mr Roger Roberts	R R Architects
6191		Sainsbury's PLC
6312	Mrs Pauline Williams	Ynysybwl and Coed Y Cwm Community Council
6318	Mr Peter Davies	Llanharan Community Council
6337	Mr Rhydian Clement	Welsh Water

**Appendix 8 List of Representors**

6340	Miss Gillian Barter	Countryside Council for Wales
6341	Mr Paul Williams	Savills
6342		Newhall House
6343	Bernardine Rees	Cwm Taf Health Board

## APPENDIX 9: SCHEDULE REPRESENTATIONS AND RESPONSES

### Representor No 1823: Glamorgan Ramblers Association

#### Comments

I wish to comment on three items in the draft document.

In section 6.2 the collection of CIL for retrospective planning applications is considered. As such applications result from projects that can have a bad effect on rights of way, amongst other negative aspects, we would like a higher scale of charges for such planning applications. This would reflect the extra work that the council must have to carry out in such cases and also monies to correct any issues caused.

Section 7.2 states that the monies raised will be used to support the LDP. However this plan says little about rights of way or community routes. Following the success of the community route associated with the Church Village bypass, we would like to see more support for such projects that would support the aims of WAG's active travel bill. For example monies from the proposed development between Talbot Green and Pontyclun could be used to fund the community route between Cross Inn and Pontyclun; I have been informed at LAF meetings that this application has been withdrawn by RCT due to lack of funding.

Finally we support the proposal in Section 7.4 that local councils should receive part of the receipts. We find that they are often able to add infrastructure or resolve problems in there are quicker than the main council.

I would like too make a comment on access to your documents via the council's web pages. I only found a copy of the preliminary draft in the agenda for the Cabinet meeting held on the 19<sup>th</sup> November 2012. I never found the document "RCT's LDP Infrastructure Assessment Background paper (July 2012)" despite making a number of searches.

#### Council's Response

The Council recognises the important role that community routes play in meeting the needs of the residents of Rhondda Cynon Taf. Whilst it is unlikely that funding for community routes will be included in the initial draft infrastructure list, consideration will be given their inclusion in future iterations of the list.

**Recommendation:** No Change required.

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**Representor No 426: Network Rail**

## **Comments**

Network Rail has been consulted by Rhondda Cynon Taf on the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule Consultation. Thank you for providing us with this opportunity to comment on this planning document. This email forms the basis of our response to this consultation request.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

### **Developer Contributions**

The Rhondda Cynon Taf Community Infrastructure Levy draft charging schedule should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure.

Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements.

Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can delivery appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following:

- A requirement for development contributions to deliver improvements to the rail network where appropriate.



- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.
- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

We trust these comments will be considered in your preparation of the forthcoming document.

### **Council's Response**

The Council recognises the important role the rail network plays in meeting the transportation needs of the residents of Rhondda Cynon Taf. As a result a number of new stations and rail improvements have been identified in the Adopted Rhondda Cynon Taf LDP. These proposals have been include in the Infrastructure Assessment Background Paper (2012).

Whilst it is unlikely that funding for new stations and rail improvements will be included in the initial draft infrastructure list, consideration will be given their inclusion in future iterations of the list.

**Recommendation:** No change required.

### **Representor No 6017: Peacock and Smith, On behalf of Morrisons Ltd**

#### **Comments**

On behalf of our clients, Wm Morrison Supermarkets plc, we write to provide our comments on the proposed CIL rate of £100/sq.m for A1 retail development, as set out in the Community Infrastructure Levy (CIL) Draft Charging Schedule on page 10 of the document.

We consider that the CIL charge above the level of £100/sq.m for A1 retail development would be of concern as it could potentially threaten the viability of future food store developments. As such, if through the later stages of consultation this level changes, we would like to opportunity to comment further.

Please keep us informed of the progress of this document towards adoption.

#### **Council's Response**

Comments Noted.

**Recommendation:** No change required.

## Representor No 715: Country Land Owners Association

### Comments

I would be very grateful if you could consider the following aspects which I feel are important to our members in regards to business development.

1. Residential property subjected to an Occupancy Condition. With the recent revision of TAN 6, where an affordable housing element has now been incorporated into the policy guidance, I note you stated the current draft policy does not recognise this and that CBC (sic) intends to charge CIL on property of this nature. Again by charging CIL the possibility of this type of property being constructed is going to be almost nil as the aim of the TAN 6 guidance is to house much needed rural enterprise workers with a view to an affordable element, this type of property **must not** be regarded as commercial residential property.
2. I would also like to draw your attention to a possible issue that has cropped up since I spoke to you, however I feel it should warrant my bringing to your attention. It is clear from your document that RCT's current proposal will not seek to charge CIL for change of use for say a conversion of a building from an Agricultural Use to a Business Use, however my concern is, if a say a member were to build new floor area for a new farm shop this would be subject to CIL. My concern being the CIL rate would be the same as you would charge in a retail park for a large business such as Tesco? Clearly this would deter the proposal going forward thus depriving much needed rural jobs and investment.
3. I would ask you to consider having an exception policy so where there are issues as demonstrated above which do not fit into a one size fits all type arrangement, the Authority has the option to be able to vary CIL rates on applications on their individual merits, so the CIL policy does not end up as a blunt instrument which will actively act against rural businesses

### Council's Response

The Country Landowners Association raises concerns in respect of the following issues:

- a). The impact CIL will have on the provision of Rural Enterprise Dwellings,
- b) The application of CIL to Farm Shops, and
- c) The provision of an exceptions policy to cater for unforeseen circumstances

Outlined below is the Council's response to each of these issues:



**a). The impact CIL will have on the provision of Rural Enterprise Dwellings,**

Rural enterprise dwellings are specifically intended to provide accommodation for individuals primarily employed in land related businesses which, directly or indirectly, need to be located in the countryside rather than in existing settlements. Provision is subject to strict assessment and control.

Rural enterprise dwellings are specifically provided by individual business to cater for their own needs. The dwellings are privately owned and do not fall within the established definition of affordable housing.

The Regulations require that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence. The evidence base that underpins the Council's CIL process clearly demonstrates that new build private market housing is viable in zones 2 and 3 of the study area. On this basis the Council in operating a CIL must levy a charge against privately owned rural enterprise dwellings.

A CIL charge will not be applied to affordable housing.

**b) The application of CIL to Farm Shops**

The Use Classes Order defines farm shops as Class A1 General Retail. As explained above, the evidence base that underpins the Council's CIL process clearly demonstrates that A1 retail viable across the study area. On this basis the Council in charging CIL must levy a charge against new build farm shops in excess of 100sqm.

It should be noted that CIL will not apply to the conversion of existing buildings from agriculture to a farm shop or the development of a new building with a floorspace of less than 100sqm.

**c) The provision of an exceptions policy to cater for unforeseen circumstances**

The Council is required to monitor CIL on an annual basis. The Council will use this process to determine whether or not the level and nature of the CIL charge is having a detrimental impact upon specific uses.

**Recommendation:** No change required.

## Representor No 6312: Ynysybwl and Coed-Y-Cwm Community Council

### Comments

At this month's meeting of the Community Council held on Monday 10<sup>th</sup> December, I was requested to write to you in respect of the abovementioned consultation.

This Council has requested that I write to advise that they feel that the introduction of this charge would be detrimental to the economic activity in the future. (sic)

### Council's Response

In setting the CIL rate the Council has sought to strike a balance between the costs of providing infrastructure needed to support new development and the potential effect of the imposition of the levy on the economic viability of development across the County Borough.

In the Council's opinion the proposed charge for each land use and in each zone is set at an appropriate level and will not be detrimental to economic activity.

**Recommendation:** No change required.

## Representor No 3438: The Theatres Trust

### Comments

Thank you for your letter of 20 November consulting The Theatres Trust on the preliminary draft charging schedule for the Community Infrastructure Levy.

Theatre uses are generally unable to bear the cost of CIL for viability reasons. The Theatres Trust recommends the setting of a nil rate for these sui generis buildings, the application of charitable or discretionary reliefs, applying D1/D2 rates where differential rates are proposed or recycling the charge to the theatre development where a single rate is proposed.

The Theatres Trust recommends that in considering CIL rates in charging schedules local authorities clearly indicate in the rates where the following would apply to the development of a theatre:

- the setting of a nil differential rate for all applicable theatre development – new and existing - in the charging area;
- theatres' eligibility for charitable relief (regulations 43-48 Community Infrastructure Regulations (CIR) (2010);



- the provision of discretionary relief under exceptional circumstances to theatres given their contribution to social and cultural well being and the provision of cultural infrastructure (regulation 55 CIR 2010);
- applying the provisions for D1 (Non-residential institutions) and D2 (Assembly and Leisure) to sui generis (theatre) use; and
- if a single rate is proposed that parallel planning obligation guidance identifies that the CIL charge is returned to the theatre development.

### **Council's Response**

Comments Noted. For clarity the Council does not propose to levy a charge on theatres.

**Recommendation:** No change required.

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### **Representor No 6123: D J Jones and Son Builders (Porth) Ltd**

#### **Comments**

We are appalled that anyone could even contemplate a further financial burden on people who are trying to develop the building industry. Anyone with an ounce of common sense would know it is a levy thought up by people who know nothing about the problems we already face. We have been developing small sites for Housing for the past half century and know of the hardships we have endured.

This proposal levy must be stopped.

## Council's Response

The Council recognises the important role local builders play in providing new homes in Rhondda Cynon Taf. In setting the CIL rate the Council has sought to strike a balance between the costs of providing infrastructure needed to support new development and the potential effect of the imposition of the levy on the economic viability of development across the County Borough.

The Regulations require that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence. The evidence base that underpins the Council's CIL process clearly demonstrates that a charge can be levied in respect of new build private market housing zones 2 and 3 but not in zone 1 of the study area.

In the Council's opinion the proposed charge for housing in each zone is set at an appropriate level and will not be detrimental to economic activity.

**Recommendation:** No change required.

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## Representor No 1036: Pencoed Community Council

### Comments

Members of Pencoed Town Council appreciate the opportunity to express their views on this proposal and welcome its introduction in order to support developments within the community.

The Council would ask for consideration to be given to the needs of neighbouring communities when major developments are proposed near to boundaries with other unitary authorities and will likely impact across these boundaries on the existing infrastructures.

### Council's Response

Comments Noted. However, the Community Council is advised that CIL revenue arising from development within Rhondda Cynon Taf will be managed in accordance with the CIL (Amendment) Regulations 2013.

**Recommendation:** No change required.

---

## Representor No 6165: RR Architects Ltd



## Comments

We acknowledge receipt of your letter dated 20 November 2012, in connection with the proposed timescale for introduction of the Community Infrastructure Levy (CIL).

In response to the proposals, we offer the following comments, in connection with the proposals:

- We accept that the principle of the Community Infrastructure Levy has been approved by the Welsh Government and that all Authorities in Wales now have the authority to implement this (CIL). Recently, the Chancellor has advised that the economy is unlikely to recover within the life of the present Parliament.

Whilst we accept the proposed introduction date of the (CIL) is April 2013, we are concerned that the levy will further affect the construction industry, certainly in zones 2 and 3 where the levy is relevant.

As Chartered Architects, we have noted a substantial decline in construction work and currently have no work on site.

### Our comments for your consideration are therefore as follows:

- Clarification is required as to the point at which the levy would be payable. Logically this would be:
  - After the principle of Planning has been established (by Committee or otherwise) but the Consent has not been issued, or
  - At a point before work starts on site.

This needs clarification.

- Domestic construction, which is one of the main areas where the levy would be payable, is already under extreme financial pressure, as a result of:
  - The Code for Sustainable Homes.
  - Improvement in Part L of the Building Regulations (during 2013)
  - The likely introduction of sprinkler systems into housing, in the near future.

The introduction the (CIL) will clearly add further to these pressures and will in our view further suppress housing development generally.

- As a small Practice of Chartered Architects we often undertake a considerable amount of self-build housing. In better times and at any one time, we have had up to 10 self-build projects running through the Practice. Currently self-build housing is non-existent.

Many self-build plots are created by 'in filling' or 'rounding off' plots within Settlement Boundaries. There is financial advantage to householders to create these development opportunities. The (CIL) will clearly reduce the impetus for these plots to be brought forward.

- In our view, the (CIL) is unlikely to result in the infrastructure work being of benefit to the **immediate community**, either from a professional design point

## Council's Response

RR Architects Ltd raises concerns in respect of the following issues:

- a). Clarification about the timing of the CIL payment;
  - b) The impact of CIL on the self build housing market; and
  - c) The provision of local as well as County Borough wide infrastructure,
- Outlined below is the Council's response to each of these issues

### **a) Clarification about the timing of the CIL payment**

In accordance with the regulations the CIL charge becomes payable from the date that a chargeable development is commenced. The definition of commencement is the same as defined in the planning acts.

### **b) The impact of CIL on the self build housing market**

The Council recognises the important role the self build market in providing new homes in Rhondda Cynon Taf. In setting the CIL rate the Council is required to ensure that that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence. The evidence base that underpins the Council's CIL process clearly demonstrates that a charge can be levied in respect of new build private market housing in zones 2 and 3 of the study area.

The CIL Regulations do not currently allow for a reduction in the charge to be levied based on the number of dwellings to be constructed. The same charge must therefore be levied for the construction of new build housing in a specific zone regardless of the scale of the development.

### **c) The provision of local as well as County Borough wide infrastructure**

The Council proposes to use the revenue raised through the CIL process to fund highway and educational improvements throughout the County Borough. Whilst these are County Borough wide infrastructure projects the Council firmly believes that the improvements suggested will be have a beneficial impact on at local level.

In addition to the provision of County Borough wide infrastructure projects, the CIL regulations require the Council to pass 15% of the annual CIL revenue raised in an area, to the respective Community or Town Council for the to fund community infrastructure projects.

**Recommendation:** No change required

**Representor No 6164: T R Davies Chartered Surveyor & Valuer**



## Comments

We acknowledge receipt of your letter dated 20 November 2012, in connection with the proposed timescale for introduction of the Community Infrastructure Levy (CIL).

In response to the proposals, we offer the following comments, in connection with the proposals, which are aligned with those of our business colleagues – RR Architects:

- We accept that the principle of the Community Infrastructure Levy has been approved by the Welsh Government and that all Authorities in Wales now have the authority to implement this (CIL). Recently, the Chancellor has advised that the economy is unlikely to recover within the life of the present Parliament.

Whilst we accept the proposed introduction date of the (CIL) is April 2013, we are concerned that the levy will further affect the construction industry, certainly in zones 2 and 3 where the levy is relevant.

As Chartered Surveyors, we have noted a substantial decline in construction work and currently have no work on site. The industry is therefore extremely fragile.

### Our comments for your consideration are therefore as follows:

- Clarification is required as to the point at which the levy would be payable. Logically this would be:
  - After the principle of Planning has been established (by Committee or otherwise) but the Consent has not been issued, or
  - At a point before work starts on site.

This requires clarification.

- Domestic construction, which is one of the main areas where the levy would be payable, is already under extreme financial pressure, as a result of:
  - The Code for Sustainable Homes.
  - Improvement in Part L of the Building Regulations (during 2013)
  - The likely introduction of sprinkler systems into housing, in the near future.

The introduction the (CIL) will clearly add further to these pressures and will in our view further suppress housing development generally.

- As a small Practice of Chartered Surveyors we often undertake a considerable amount of self-build housing. In better times and at any one time, we have had up to 10 self-build projects running through the Practice. Currently self-build housing is non-existent.

Many self-build plots are created by 'in filling' or 'rounding off' plots within Settlement Boundaries. There is financial advantage to householders to create these development opportunities. The (CIL) will clearly reduce the impetus for these plots to be brought forward.

- In our view, the (CIL) is unlikely to result in the infrastructure work being of benefit to the **immediate community**, either from a professional design point

## Council's Response

TR Davies raises concerns in respect of the following issues:

- a). Clarification about the timing of the CIL payment;
- b) The impact of CIL on the self build housing market; and
- c) The provision of local as well as County Borough wide infrastructure,

Outlined below is the Council's response to each of these issues

### **a) Clarification about the timing of the CIL payment**

In accordance with the regulations the CIL charge becomes payable from the date that a chargeable development is commenced. The definition of commencement is the same as defined in the planning acts.

### **b) The impact of CIL on the self build housing market**

The Council recognises the important role the self build market in providing new homes in Rhondda Cynon Taf. In setting the CIL rate the Council is required to ensure that that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence. The evidence base that underpins the Council's CIL process clearly demonstrates that a charge can be levied in respect of new build private market housing in zones 2 and 3 of the study area.

The CIL Regulations do not currently allow for a reduction in the charge to be levied based on the number of dwellings to be constructed. The same charge must therefore be levied for the construction of new build housing in a specific zone regardless of the scale of the development.

### **c) The provision of local as well as County Borough wide infrastructure**

The Council proposes to use the revenue raised through the CIL process to fund highway and educational improvements throughout the County Borough. Whilst these are County Borough wide infrastructure projects the Council firmly believes that the improvements suggested will be have a beneficial impact on at local level.

In addition to the provision of County Borough wide infrastructure projects, the CIL regulations require the Council to pass 15% of the annual CIL revenue raised in an area, to the respective Community or Town Council for the to fund community infrastructure projects.

**Recommendation:** No change required

**Representor No 6342: Asbri Planning on behalf of Dorchester Homes**



## Comments

### ***1. Do you agree with the proposed CIL rates and charging zones for residential developments?***

My clients do not agree for the following reasons.

Local authorities in arriving at appropriate CIL charging rates, are required to consider the economic viability of development. It is noted that in doing so, RCT have commissioned evidence in the form of an Economic Viability Assessment prepared by District Valuer Services (DVS) in conjunction with neighbouring local authorities.

The DVS viability assessment was based on 69 sample development areas across the study area which included the neighbouring authorities of Caerphilly and Merthyr. Whilst actual sites have been reviewed the development costs are based upon assumptions rather than actual costs. This places the value of assessing actual sites in doubt.

The Trane Farm site, although greenfield in nature is affected by major slope constraints and also has two areas of Special Scientific Interest within its boundaries. Due to this and necessary ecological mitigation the development of the site will be fragmented with longer sections of layout roads and services to serve the various parcels which can accommodate development. It is accepted that it is difficult to predict the likely level of abnormal costs on any given site. However, it is understood from information provided by house builders that average costs of developing a sloping Greenfield site, will be in the order of £164,500 per acre. In the context of Trane Farm with the additional constraints this is likely to be higher.

In Appendix Q, where a site corresponding with Trane Farm is referred to with a sensitivity analysis of developer profit, a site area of 20 ha is referred to in the schedule which, on the basis of the LDP requirements of 35 dwellings per hectare could accommodate 700 dwellings. However, the numbers on the site are likely to be reduced for the reasons stated above. Therefore assumptions adopted, which seem to be made on the basis of a straightforward greenfield release, will not be accurate in calculating benchmark values.

Regard should also be given to substantial additional costs which will result from the Welsh Government's intentions for a 40% improvement in Part L and the provision of fire sprinklers in new homes. The DVS viability assessment has made no allowance for this in their assumptions, which is inappropriate as costs per dwelling will be significantly increased.

No allowance has been made in the DVS appraisal for planning promotion and marketing costs, which, in the case of the Trane Farm site, which required full Environmental Impact Assessment, will be substantial.

We are concerned therefore that the viability buffer between the rates proposed in the DVS Report and the charges set by the Council in the preliminary draft charging schedule are significantly eroded due to factors which have not been inputted into the calculations. If the charging schedule proceeds as intended it is therefore likely to place the delivery of adequate housing development to meet the Council's targets at risk<sup>40</sup>

With regard to the charging zones proposed there is also a major discrepancy as the Trane Farm site overlaps Zones 1 and 3. As a consequence land in the western part of the site will require zone 1 charges whilst the remainder of the site will be subject to

## Council's Response

The representor raises a number of detailed concerns in respect of the following issues:

- a) The study only assesses 69 sites across the study areas;
- b) The study fails to consider the impact of abnormal costs on site delivery;
- c) No allowance has been made for marketing costs or planning promotion;
- d) The DVS report has made no allowance for the additional costs arising from implementation of Part L and requirement for sprinklers;
- e) No allowance has been made for marketing costs or planning promotion;
- f) The Trane Farm site in Tonyrefail overlaps Zones 1 and 3;
- g) The boundary of Zone 2 should be amended to include Tonyrefail;
- h) The Instalment phases should be linked to on site delivery and not fixed timescales, and
- i) Amend the Infrastructure Assessment Study to remove the reference to a new school at Trane Farm

Outlined below is the Council's response to each of these issues

### **a) The study only assesses 69 sites across the study areas**

The representor suggests that because only 69 sites were assessed the findings of the assessment are in doubt.

In the Council's opinion the study has been conducted fully in accordance with the requirements of the CIL regulations. Paragraph 26 of the DCLG guidance document "Community Infrastructure Levy – An Overview" states:

"In practice, charging authorities may need to sample a limited number of sites in their areas and in England, they may want to build on work undertaken to inform their strategic housing land availability assessments. Charging authorities that decide to set differential rates may need to undertake more fine-grained sampling to help them to estimate the boundaries for their differential rates."

The council are content that the number of sites assessed as part of the viability assessments is fit for purpose and provides a robust basis for establishing the CIL charges.

### **b) The study fails to consider the impact of abnormal costs on site delivery**

The Council acknowledges that some future development sites will be affected by abnormal costs. In establishing the methodology for the assessments the authorities, along with the DVS, conclude that it was not possible to establish and implement differential CIL rates for sites without abnormal costs and sites with abnormal costs. This is primarily due to the fact that abnormal costs are just that, abnormal, and can vary greatly in nature, scale and cost. Given the potential variance of such costs it would be inappropriate to viability test sites using an assumed cost, because this would undoubtedly result in over-burdening sites with high levels of abnormal costs, whilst under charging sites with little or no abnormal costs, both situations being



inequitable. Consequently it would be inappropriate to include abnormal costs in the Viability Report methodology and it is the council's view that such costs should be considered on a site-by-site basis.

**c) The DVS report has made no allowance for the additional costs arising from implementation of Part L and requirement for sprinklers**

The appraisals in the Viability Report have an element of allowance for sustainable development costs built into the methodology, with part of the 17.5% allowance for external and sustainable costs being prescribed to sustainable costs. In addition BCIS information already reflects sustainable construction costs that, in some cases, are designed to higher standards than currently required. However the costs set out in this representation relate to prospective changes to Building Regulations, requiring additional build costs to current housing designs. As such, whilst an element of the above cost provisions could address an element of these additional costs, it is unlikely that it will cover them in their entirety.

It is important to note, however, that these changes have not been issued in final form and, as a consequence, are not requirements at the current time. Whilst the Viability Report could have taken account of the anticipated costs set out in Welsh Government documentation, it cannot be certain that the amendments will be implemented or the costings identified will be sufficiently reflective of the actual costs to make their consideration appropriate. Consequently the Viability Report has not taken account of these changes. The CIL Charging Schedule has only reached its first formal stage and will be subject of further consultation and amendment as it progresses through the procedure to Adoption. If greater certainty arises during this procedure the Charging Schedule, along with its evidence base, can be amended to reflect the changing circumstances.

Further to this, once adopted, CIL will be monitored annually to consider whether its implementation results in undesirable impacts on viability and development. The monitoring process will determine whether the CIL Charging Schedule still represents an appropriate balance between CIL revenue and development viability. Where the balance becomes inappropriate a review of the CIL will be undertaken to address the underlying issues. In this way the CIL can react to any significant changes in circumstances, such as the imposition of new building requirements, once the CIL has been adopted.

It must be noted that it is not always possible to take account of potential future changes and, even where potential changes are known, until they are formally published there is always uncertainty over content and when they will become a requirement. Consequently the Viability Report has not made any allowance for the costs associated with the changes (although some element could be subsumed into allowances already made in the methodology), although provisions in the preparation procedures and monitoring post adoption provide opportunities to review the CIL changing circumstance require such action.

**d) No allowance has been made for marketing costs or planning promotion**

Marketing costs are included within the allowance for sales fees, whilst planning promotion costs are included in the allowance for professional fees. Consequently both issues have been addressed in the Viability Report.

**Recommendation:** No change required

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**Representor No 6340: Countryside Council for Wales**

**Comments**

We note (paragraph 2.14) that public open space is mentioned in the CIL preliminary draft charging schedule but with no further elaboration.

The infrastructure Assessment Background Paper, however, makes reference in para 3.5 to the delivery of new and improved green infrastructure as well as provision for the development of the Cynon Valley River Park and management of Sites for Nature Conservation (SINC).

We welcome this but recommend that Green Infrastructure is also referred to in the main document. In both documents it would be helpful to include a definition of green infrastructure and clarification of its purpose. We would be happy to discuss this with you and provide further information if required.

We recognise that the CIL PDCS is not required to set out the Council's spending priorities (7.3) and that a list of infrastructure to be funded will be included with the adopted version (3.11). CCW considers it important, however, that the draft charging schedule is written in such a way that CIL funds can be used for green infrastructure and also for biodiversity enhancement in addition to mitigation. This is particularly important in view of the fact that if the CIL is introduced, the use of Section 106 agreements will in future be on a smaller scale (2.14). Planning obligations for biodiversity mitigation and enhancement can involve quite complex requirements, both on and off site.

We would welcome involvement in further discussions.

**Council's Response**

The Council proposes to use the revenue raised through the CIL process to fund improvements in highway and education capacity in the County Borough.

The provision of public open space and biodiversity mitigation and management will continue to be negotiated on a site by site basis and secured through Planning Obligations. The Council is in the process of revising the adopted Planning Obligations SPG. As part of this process further consideration will be given to the issues raised by the Countryside Council for Wales in respect of Green Infrastructure.



**Recommendation** No change required.

**Representor No 6019: The Planning Bureau Ltd, McCarthy & Stone Retirement Lifestyles Ltd**

## Comments

As the market leader in the provision of retirement housing for sale to the elderly, McCarthy and Stone Retirement Lifestyles Ltd considers that with its extensive experience in providing development of this nature it is well placed to provide informed comments on the emerging Rhondda Cynon Taf County Borough Community Infrastructure Levy (CIL), insofar as it affects or relates to housing for the elderly.

### Growing Elderly Population

The Welsh Assembly Government published 'The Strategy for Older People in Wales 2008-2013 – Living Longer, Living Better' was published in 2008. The Executive Summary of the Strategy acknowledges;

*'...there is no quick fix to the challenges and opportunities presented by an ageing population. There must be sustained and serious effort over at least a 10 year period if we are to tackle the broad ranging and often inter-dependent issues where change is needed to benefit older people now and in the future.'*

One of the focus themes of the Strategy is the promotion of well being and independence to which appropriate housing provision plays a key part. The Strategy identifies inadequate or inappropriate housing provision as one of the problems faced by older people in Wales. In respect to housing the strategic objectives of the Strategy is to *promote the development of a range of housing, domiciliary care, support and advisory services to offer older people different types of support as their needs change, while preserving their independence.*

Increasing housing options and support for older people was one of the 24 priority issues identified by the Welsh Assembly Government in this Strategy. In light of this, it is therefore of vital importance that the emerging CIL does not prohibit the development of specialist accommodation for the elderly at a time when there is an existing and urgent need for this form of development.

### Viability Appraisal Assumptions

The Preliminary Draft Charging Schedule whilst proposing different levy rates across the Borough; £100 per m<sup>2</sup> for the Higher Residential Market Value Area in the south of the Borough, (£40 per m<sup>2</sup> for the Median Residential Market Value Area surrounding Pontypridd and a Nil Levy charge for the Lower Residential Market Value Area in the north of the Borough, a flat CIL levy rate for all forms of residential development is proposed.

Whilst there is an understandable desire to keep the charging rates as simple as possible the broad inclusion of some retirement housing within a "general residential heading" fails to acknowledge the very specific viability issues associated with such specialist accommodation for the elderly. Indeed it is our understanding that the Viability Assessment did not include a development scenario for sheltered housing, despite the significant difference between these forms of accommodation and standard market housing.



As you are aware, as a national retirement housing company, McCarthy & Stone are currently submitting planning applications throughout the Country. Presently all but a handful of our schemes are unable to support policy compliant levels of affordable housing contributions and as such have required viability assessments. In light of this we obviously need to ensure that the supporting viability work for the CIL is actually representative of what is happening in the real market place for all forms of housing, as, if it is not, the adoption of CIL may prevent needed development from coming forward.

### **Communal Areas**

Many forms of specialist accommodation for the elderly, such as retirement housing, provide communal areas for residents at an additional cost to developers. Specialist housing providers also have additional financial requirements as opposed to other forms of development that will only pay on 100% saleable floorspace. This does not provide a level playing field for these types of specialist accommodation and a disproportionate charge in relation to saleable area and infrastructure need would be levied.

In comparison to open market flats the communal areas in specialist accommodation for the elderly are considerably larger in size, fulfil a more important function and are accordingly built to a higher specification in order to meet the needs of the elderly than those provided by open market flatted developments. Typically an open market flatted residential development will provide 16% non-saleable floorspace, whereas this increases to 30% for sheltered accommodation and 35% for Extra Care accommodation.

This places providers of specialist accommodation for the elderly at a disadvantage in land acquisition as the ratio of CIL rate to net saleable area would be disproportionately high when compared to other forms of residential accommodation

### **Sales Rate**

In the case of retirement housing for example there is also a much longer sales period which reflects the niche market and sales pattern of a typical retirement housing development. This has a significant knock on effect upon the final return on investment. This is particularly important with empty property costs, borrowing and finance costs and sales and marketing which extend typically for a longer time period. Currently the typical sales rate for a development is approximately one unit per month, so a 45 unit retirement scheme (i.e. an average sized scheme) can take 3-4 years to sell out.

As a result of this typical sales and marketing fees for specialist accommodation for the elderly are typically in excess of 6% of GDV.

### **Empty Property Costs**

Properties can only be sold upon completion of the development and the establishment of all the communal facilities and on-site house **Community**. These communal areas cost additional monies to construct and are effectively subsidised by the developer until a development has been completely sold out. In a McCarthy and Stone development the staff costs and extensive communal facilities are paid for by residents in a management / service charge. However due to the nature of these

## Council's Response

The representor raises a number of detailed concerns in respect of the following issues:

- a) The CIL rate for residential should differentiate between different types of accommodation;
- b) The Economic Viability Study does not provide a development scenario for the delivery of sheltered housing;
- c) The build and finance costs identified in the study do not reflect the costs of building elderly persons accommodation;
- d) The Economic Viability Study does not allow for realistic levels of developer profit, and
- e) The Instalment phases should be linked to on site delivery and not fixed timescales

Outlined below is the Council's response to the issues raised.

### **a) The CIL rate for residential should differentiate between different types of accommodation;**

The representor specifically builds private market residential accommodation for the elderly. This includes the provision of both traditional houses and flats. Whilst the Council understands the concerns expressed, the reality is that residential accommodation of the type provided by the representor falls within Class C3 (Dwelling Houses) of the Town & Country Use Class Order (1987). The CIL Regulations (as amended) are clear that, where viable, the levy is to be charged against the creation of new residential accommodation. The Regulations do not differentiate between different types of residential accommodation.

The Council consider that the approach taken to the development of the CIL charge in Rhondda Cynon Taf accords with the requirements of the CIL Regulations.

### **b) The Economic Viability Study does not provide a development scenario for the delivery of sheltered housing;**

As indicated above, the CIL Regulations do not differentiate between different types of residential accommodation. The representor raises concerns that the Council's Economic Viability Study does not provide a development scenario for the delivery of private market sheltered accommodation for the elderly. The representor is correct the Economic Viability Study does not look specifically at this type of accommodation. As part of the Study the Council specifically identified uses and development types that were likely to take place in the County Borough. To date no private market developments that provide exclusively for the provision of sheltered accommodation for the elderly have been developed in Rhondda Cynon Taf. The Council considers that the inclusion of this type of accommodation as part of the consideration of the viability of residential development would not have been representative of the market and likely to produce inaccurate viability data.



The provision of accommodation for the elderly in Rhondda Cynon Taf generally takes the form of housing provided by Registered Social Landlords (RSL) or privately operated care/nursing homes. The provision of housing by RSLs is subject to mandatory relief under the CIL Regulations. The development of private care/nursing homes which, fall within Class C2 (Dwelling Houses) of the Town & Country Use Class Order (1987), was assessed as part of the Study and found to be unviable.

**c) The build and finance costs identified in the study do not reflect the costs of building elderly persons accommodation;**

As discussed above, the Council specifically identified uses and development types that were likely to take place in the County Borough. To date no private market developments that provide exclusively for the provision of sheltered accommodation for the elderly have been developed in Rhondda Cynon Taf. The Council considers that the inclusion of build and finance costs that relate specifically to this type of accommodation would not have been representative of the housing market and likely to produce inaccurate viability data.

**d) The Economic Viability Study does not allow for realistic levels of developer profit**

The allowance for developer profit of 17.5% has been identified from DVS experience and market intelligence, which indicates an easing of developer profit levels has taken place in recent times, from 20% which developers sought immediately following the market crash (2007). As such it is the council's opinion that the developer profit allowance of 17.5% is appropriate.

**e) The Instalment phases should be linked to on site delivery and not fixed timescales**

The representor raises concern over the instalments policy being based upon the commencement date only and suggested that the instalment policy should be based on the completions of phases of development. Whilst the Council is sympathetic to the representor's suggestion, the approach to be taken to the payment of phasing of instalments is governed by the CIL Regulations. The CIL Regulations do not currently allow payment by instalment to be related to development on site.

**Recommendation:** No change required

**Representor No 6191: White Young & Green, On behalf of Sainsbury's Supermarkets Ltd**

## Comments

WYG Planning and Environment write to present representations on behalf of Sainsbury's Supermarkets Ltd (SSL) on the preliminary draft charging schedule of Rhondda Cynon Taf Council (RCT). SSL monitor and actively engage in the development planning policy across Wales. SSL takes a keen interest in the development of Community Infrastructure Levy (CIL) which has the potential to impact on the viability of retail development across England and Wales.

Our client considers that the rate for retail development should be set at a lower rate than the proposed £100 per sqm for reasons outlined below.

Guidance on CIL (DCLG CIL Guidance, December 2012) refers to the legislative requirement for a charging authority to use "appropriate available evidence" to inform their draft charging schedule and for the proposed CIL rates to be consistent with that evidence. A charging authority should "sample an appropriate range and types of site across its area" and should focus on strategic sites and those sites where the impact of the levy on economic viability is likely to be most significant (see paragraphs 25 to 27 of the December 2012 DCLG guidance). Charging authorities should show that their proposed rates will contribute positively towards and not threaten delivery of the relevant Plan as a whole throughout the economic cycle (see paragraph 30).

Regulation 14 of the Community Infrastructure Levy Regulations 2010 states that in setting rates in a charging schedule, a charging authority must aim to strike an appropriate balance between the desirability of funding from CIL and the potential effects of the imposition of CIL on the economic viability of development across its area.

It is anticipated that in setting a CIL rate of £100/sqm for retail development the proposed rates would result in a negative impact on the viability of such development, and consequently would have a negative impact upon any other development relying on retail led regeneration, across the borough. Present market conditions have had a significantly negative impact on proposed retail development within RCT even without a CIL charge being imposed, with the Taff Vale shopping centre plans in Pontypridd failing to materialize due to the developer falling into receivership. Any further burden placed on such developments by CIL would be likely to further hinder such retail development and associated worthy regeneration aims. However, as set out below, with just one RCT comparison retail development assessed in the District Valuer Services report, the impacts on such development cannot be stated with any certainty one way or another. This is a significant shortcoming.

RCT, in partnership with two adjoining authorities, commissioned District Valuer Services (DVS) to carry out a study into the effect CIL would have on development viability. It is our view that the evidence base for RCT is arbitrary and lacking convincing evidential justification in relation to the risk to viability, particularly for retail development. Table 3 of the DVS report makes clear that just four retail development sites in Rhondda Cynon Taf Borough were considered. Site 24 is the only comparison retail development to be considered in the whole borough. The remaining three sites (25, 26 and 27) are all what are referred to as "large foodstore on brownfield site". Site 25 is a 2,000 sqm GIA store in central RTC, site 26 is an 8,000 sqm GIA store in



northern RCT and site 27 is a 7,376sqm GIA store in south RTC.

While the food stores are described as “large”, only one is above 8000sqm GIA. The development for site 25 would result in a net sales area of just c.1500sqm – at the very bottom end of what SSL would class as a “supermarket” at all.

According to the above:

- No comparison retail developments were considered in central or southern RTC;
- No large foodstores were considered in northern RCT; and
- No small foodstores were considered in southern RCT.

In SSL’s view, the DVS report considers a minimal range of retail development which fails to appropriately consider a reasonable range of retail developments in each of the distinct areas of the Borough where very different viability considerations apply. The failure to consider a wider variety of food retailing within the RCT borough is a significant shortcoming, particularly given buoyancy of supermarket led regeneration schemes in recent years, including within the RCT area, and the significant job creation which follows. In short, RCT appear to be unable to demonstrate the implications of the proposed £100/sqm rate on the economic viability of retail development as a whole and all other development that retail schemes can ‘pump prime’. The evidence does not, therefore, constitute “appropriate evidence”.

The DVS viability report urges, at paragraph 7.16, that CIL must not be charged up to the margins of viability to avoid the impairments of new development. Table 3 identifies that the only smaller foodstore development tested anywhere within the borough would experience a deficit of £76. Accordingly, a rate of £100 per sqm would unmistakably “impair” such development. The impact upon similar sized development elsewhere in RCT (i.e. the north or south) is unknown as it simply has not been considered. The DVS report urges caution in a number of other respects. It notes that land costs taken into account in the report are difficult to allow for in a flat rate charge (paragraph 1.12). Furthermore, specific caution is urged for supermarkets as the benchmark land costs taken into consideration into the report have typically been exceeded in the open market (paragraph 7.7); DVS expect such land prices to hold up. Caution is also advocated due to the potential for remaining s.106 requirements to further impact viability (the potential for other s106 costs are unknown at the present time, even in broad terms, due to the absence of a Regulation 123 list and accordingly have not been taken into account in any way in the DVS report – see paragraph 1.8). The report notes that “this does present a reason for being more cautious in the rates proposed”. Finally, exceptional development costs have not been taken into account by DVS (see paragraph 1.11).

Notwithstanding the repeated urging of caution by DVS on a number of different grounds and its recommendation that retail CIL rates could be as low as £50, the draft charging schedule proposes a flat rate of £100. It is not clear, therefore, that the charging authorities has shown that their proposed rates will contribute positively towards and not threaten delivery of the relevant Plan as a whole throughout the economic cycle.

To conclude, it is considered that the viability study is not thorough enough to consider fully the implications of setting a flat rate retail levy of £100/sqm and lacks sufficient vital evidence across all scales of retail development in all parts of the Borough. Notwithstanding the insufficiency and inappropriateness of the evidence, that evidence which is presented is subject to numerous and repeated caveats. The proposed rate of £100/sqm fails to heed the cautionary remarks in the DVS report and

## Council's Response

White, Young and Green on behalf of their clients raise concerns in respect of the following issues:

- a) The proposed charge should be set lower than £100 per dqm;
- b) Only one comparison retail developments has been assessed;
- c) The economic viability study has not considered a sufficient range of retail developments;
- d) Impact of the proposed charge on the viability of smaller retail stores, and
- e) The application of the proposed instalments policy

Outlined below is the Council's response to each of these issues:

### **a) The proposed charge should be set lower than £100 per dqm.**

In undertaking viability work to inform the preparation of their CIL Charging Schedules Caerphilly, Merthyr Tydfil and Rhondda Cynon County Borough Councils worked together to realise benefits of a study undertaken across an area greater than their individual administrative boundaries. DVS was appointed to undertake the viability assessments for CIL and the authorities provided DVS with a selection of sites across their areas for various land uses. These sites are representative of the sites likely to come forward during the plan period and these were assessed by DVS to establish the viability evidence.

In identifying sites for this assessment process the experience and knowledge of DVS was used to identify uses that would have smaller market areas and would need more intensive site coverage and uses that would be more likely to have large market areas and would require less intensive site coverage. Given the stage of the economic cycle it has been determined that new commercial development will only realistically be delivered by specific business models and these have been focused upon within the viability testing. A1 retailing was considered to have a larger market area and, as a result, 4 sites were identified in Rhondda Cynon Taf. A total of 10 retail sites, 5 comparison and 5 convenience, were identified across the study area. The Council are content that sufficient sites have been assessed to ensure the evidence is robust.

The CIL Regulations and CIL Guidance require that, in setting the CIL Rates, a charging authority must strike "an appropriate balance" between the desirability of generating funding through CIL and the potential effects on economic viability of development in implementing CIL. In simple terms the charging authority needs to strike what appears to it to be an appropriate balance between raising CIL funding and impacting upon site viability. It must be noted that the neither the CIL Regulations nor any CIL Guidance seeks to maintain the viability of all sites. Consequently there must be an acceptance that a certain amount of development may be made unviable, and it is the level of this effect, considered against the need to raise funding to provide infrastructure to support development, that is the basis of the "appropriate balance". The findings of the economic viability study indicate clearly that there is variation in the potential rate of CIL to be generated by sites in Rhondda Cynon Taf ranging from -£76 to + £1221. A 10% increase in rental values would mean a variation in potential rates of CIL of between +£108 to + £1448. The viability



study recommends a CIL charge for retail development could be set at between £50 and £300 throughout the study area. The Council is content that the CIL Rates for A1 developments is appropriate and is supported by robust viability evidence.

**b) Only one comparison retail developments has been assessed.**

The representor expresses the view that the limited number of comparison stores in Rhondda Cynon Taf means that the findings of the economic viability study provides no certainty about the issue of viability. However, whilst the representor is correct that only 1 comparison store was assessed in the County Borough 10 sites submitted to DVS for assessment, five sites were assessed for food retail and 5 for general A1 comparison retailing.

The Council is content that the assessments in the economic viability study adequately address the issue of comparison retailing.

**c) The economic viability study has not considered a sufficient range of retail developments**

The representor questions the range retail stores in the County Borough assessed in the economic viability study and suggests that the evidence presented is 'arbitrary and lacking convincing evidential justification'.

As outlined above, the viability assessment work was undertaken on a study area basis and not on an authority areas basis. Across the study area a total of 10 retail sites have been assessed and these range from 900sq.m to 8500sq.m, which represents a significant body of assessment and a wide range of size of retail development. The proposed CIL rate for A1 retailing is at the lower end of the viability range recommended by DVS, meaning that the rate is conservative when considered against the viability evidence, which has identified some sites with very high levels of viability.

It should be noted that CIL is required to provide infrastructure to support development in the area and, as such, it is in the Council's interest to set CIL charges at levels that will realise funding for such development, without compromising the ability to deliver development in accordance with the adopted LDP. The Council is content that the A1 retail charge set out in the Preliminary Draft Charging Schedule represents an appropriate balance between realising funding for necessary infrastructure and maintaining the general viability of A1 land uses.

**d) Impact of the proposed charge on the viability of smaller retail stores.**

The representor indicates that, in their opinion, the imposition of a CIL charge would 'impair' the delivery of smaller convenience stores in the County Borough. In support of this the representor contends that the Charging Schedule does not reflect the evidence base in that the Rhondda Cynon Taf sites realise very low values (-£76). However, as outlined above, the viability assessments are taken across the study area, and the study-area wide approach has realised some very strong positive viabilities, which are listed within the Study report. Overall the council are satisfied that the developments tested within the Study are indicative of future development within the Study area, supplemental testing of different locations is not required, and the DVS recommended range for A1 retail appropriately reflects the viability evidence.

**Recommendation:** Amend the Instalments Policy

### Representor No 6337: Dwr Cymru Welsh Water

#### Comments

Thank you for allowing Dwr Cymru Welsh Water (DCWW) the opportunity to formally respond to the above consultation.

At this stage we would suggest adding 'Water and Sewerage Network' to the list of what infrastructure includes in paragraph 2.8 of the Preliminary Draft Charging Schedule document. The reason for this amendment is as follows:

Our Water Resources Plan outlines our 25 year strategy for maintaining the balance between supply and demand for water to the period 2034-35. Our Plan utilises Welsh Assembly Government population forecasts and whilst the Environment Agency Wales have indicated major reductions to our abstraction licences, we have identified options to ensure that the security of water supplies across Wales is maintained.

The Review of Consents (RoC), under the Habitats Directive affects our abstractions, in particular for South East Wales, from the rivers Wye and Usk. These rivers form a fundamental part of our South East Conjunctive use System that supplies Cardiff and your Authority area. The predictions are that this water resource zone will be in deficit in year 2028/29. However, we have already identified solutions which will protect water supply and the environment through changes in our operations. We do not believe therefore, that these licence reductions should impact in any way the proposals for additional growth identified within your Local Development Plan.

Therefore, whilst the management of water resources is considered adequate for the foreseeable future, the situation could change in the longer term and this issue may need to be addressed in the subsequent Local Development Plan or its predecessor(s).

We would welcome your views with regards to whether or not you would consider water and sewerage networks to be included within the list of infrastructure which CIL could support.

In your authority's Infrastructure Assessment Background Paper – November 2012 you alluded to national guidance in relation to the preparation of a charging schedule. Paragraph 2.14 of this guidance states, "*...it is critical that charging authorities are proactive in involving infrastructure providers...*", and that whilst identifying the total cost of infrastructure it wishes to fund from CIL a charging authority should engage with infrastructure providers after deciding to produce a charging schedule (paragraph 2.5).

We acknowledge the authority's references to this guidance within this background paper and as an infrastructure provider we would welcome being involved at future stages of developing a Charging Schedule for the Authority and in potential revisions



to the Authority's Planning Obligations SPG when necessary.

### **Council's Response**

The Council proposes to use the revenue raised through the CIL process to fund improvements in highway and education capacity in the County Borough.

The provision of improvements to the strategic water and drainage network will continue to be negotiated on a site by site basis and secured through Planning Obligations. The Council is in the process of revising the adopted Planning Obligations SPG. As part of this process further consideration will be given to the issues raised by the Welsh Water in respect of this issue.

**Recommendation:** No change required

### **Representor No 683: Open Spaces Society**

#### **Comments**

#### ***Q3. Do you agree with the proposed CIL rates and a single County Borough-wide charging zone for Primary Healthcare Development?***

If private - agree (ie commercial), but if NHS it should be exempt across the borough. The primary healthcare sector is a massive contributor to health and well-being, and development should not have a levy - bit like healthy contribution of rights of way and open spaces and parks.

#### ***Q5. Are there any other issues arising from the CIL Preliminary Draft Charging Schedule you would like to comment on?***

I would like to see the charge used to develop the infrastructure of open spaces (town and village greens, common land) and improved access to these spaces for all users (on foot, cycle or horse, and some horse-driving) and the rights of way network in general. At present, this is underfunded and precariously funded, in spite of the good value in terms of enjoyment of the developments and their environs.

This [A1/A3] would need to be monitored in case the evidence base is not a (sic) comparable as it seems.

If CIL could be used to save the open air paddling pool in Ynysangharad Park it would be popular! Councillors, in making their decisions, should remember that not everyone drives all the time and as public space is in danger of privatisation, CIL should be used to protect it long term.

## Council's Response

The Open Space Society raises concerns in respect of the following issues:

- a). Payment of CIL for Primary Health Care Provision, and
- b) The impact of CIL on the provision of public open space.

Outlined below is the Council's response to each of these issues

### **a). Payment of CIL for Primary Health Care Provision**

The Council is supportive of the need to provide new, modern health care facilities to meet the needs of the residents of Rhondda Cynon Taf. In setting the CIL rate the Council is required to ensure that that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence.

The Economic Viability Study which looked at this issue was prepared for the Council by the District Valuer Service (DVS). The findings of the study clearly demonstrate that a charge can be levied in respect of Primary Health Care provision in the County Borough. DVS suggested a rate up to £125 per sqm could be levied against primary health care development without rendering development unviable. In recognition of the importance of the new health care provision in Rhondda Cynon Taf, the Council set a rate of £60, less than half of that suggested by DVS.

The Council is confident that the proposed CIL charge has been set at an appropriate level however, should the Heath Board experience difficulty in developing sites, the CIL Regulations 2010 set procedures for seeking relief. In considering whether to offer relief and applications seeking relief, the Council will accord fully with the statutory requirements.

### **b) The impact of CIL on the provision of public open space.**

The Council proposes to use the revenue raised through the CIL process to fund improvements in highway and education capacity in the County Borough.

The provision of public open space will continue to be negotiated on a site by site basis and secured through Planning Obligations. The Council is in the process of revising the adopted Planning Obligations SPG. As part of this process further consideration will be given to the issues raised by the Open Space Society in respect the provision and accessibility of open space..

**Recommendation:** No change required



**Representor No 6318: Llanharan Community Council**

**Comments**

Briefly, Llanharan Community Council has some concerns:

1. The proposal to introduce three levels of charge is unacceptable as it would introduce a charge of £8000 for a family wishing to purchase a 80sq m property in Llanharan, whereas (sic) there would be no charge for developing a similar property in Hirwaun, Aberdare, Mountain Ash or the Rhondda.
2. The present S106 agreement ensures that any contribution paid by a developer is spent in the area of the development. There appears to be no 'ringfence' of the CIL and the worry locally is that it may well be applied (sic) for general infrastructure provision/improvements in other parts of the county borough.
3. The aim of the Welsh Assembly Government is that responsibilities should be transferred to a more local level i.e. to Town and Community Councils- there is no mention of this in the documentation.

## **Council's Response**

The Community Council raises concerns in respect of the following issues:

- a). The impact of the CIL residential charging zones on the housing Market in southern Rhondda Cynon Taf;
- b) That CIL raised in a specific area should be spent in that area, and
- c) The provision of an exceptions policy to cater for unforeseen circumstances

Outlined below is the Council's response to each of these issues

### **a). The impact of the CIL residential charging zones on the housing Market in southern Rhondda Cynon Taf**

In setting the CIL rate the Council has sought to strike a balance between the costs of providing infrastructure needed to support new development and the potential effect of the imposition of the levy on the economic viability of development across the County Borough.

The Regulations require that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence. The evidence base that underpins the Council's CIL process clearly demonstrates that a charge can be levied in respect of new build private market housing zones 3 of the study area.

In the Council's opinion the proposed charge for housing in each zone is set at an appropriate level and will not be detrimental to economic activity.

### **b) That CIL raised in a specific area should be spent in that area**

The Council proposes to use the revenue raised through the CIL process to fund highway and educational improvements throughout the County Borough. Whilst these are County Borough wide infrastructure projects the Council firmly believes that the improvements suggested will have a beneficial impact on at local level.

In addition to the provision of County Borough wide infrastructure projects, the CIL regulations require the Council to set aside 15% of the total annual CIL revenue to fund community infrastructure projects.. The Council will provide further guidance in relation to this proposal in the Draft CIL Charging Schedule.

### **c) The provision of an exceptions policy to cater for unforeseen circumstances**

The Council is required to monitor CIL on an annual basis. The Council will use this process to determine whether or not the level and nature of the CIL charge is having a detrimental impact upon specific uses.

**Recommendation:** No change required



## Representor No 6343: Cwm Taf Health Board

### Comments

The Health Board has been considering the implications of the proposed Community Infrastructure Levy on new primary care developments, and would comment as follows.

It is understood that the proposal for the level of CIL for Primary Healthcare Developments results from recommendations from the District Valuation Service following evaluation of new public-private healthcare developments defined as private investors constructing new primary care centres for the NHS (3PD) and that as this market has remained resilient in the current economic downturn.

There has been a marked slowdown in the number of such schemes being progressed. Recent schemes approved by Welsh Government have undergone a robust and vigorous financial appraisal process undertaken by the DV, which has focused on paring back yield / profit margins to the minimum level / viability whilst still allowing these schemes to proceed. The latest scheme approved by Welsh Government agreed a rental figure of £159 per m<sup>2</sup> compared to 4-5 years ago when schemes were being approved at £185 per m<sup>2</sup>. Therefore any proposal to apply a CIL will potentially render schemes economically unviable and reduce investment in health premises developments.

This levy will mitigate against health investment in areas of high deprivation and low economic status if the overall rental values are not supported by the DV or WG.

For the proposed Aberdare Primary Care Centre with a GIA of some 2500 m<sup>2</sup>, this would add an additional cost of £250,000 to the build cost of the scheme.

The RCT Local Development Plan proposes the construction of 14,385 new homes, and refers to improved medical facilities in a number of the strategic sites. The Health Board believes that the introduction of a CIL on primary care developments would have a detrimental impact on the continued strategy of replacing surgeries that are no longer fit for purpose, on the provision of health services to patients, and on the ability to provide for the projected increase in population.

## Council's Response

The Council is supportive of the need to provide new, modern health care facilities to meet the needs of the residents of Rhondda Cynon Taf. In setting the CIL rate the Council is required to ensure that that decisions in respect of the land uses that should be subject to CIL and the level of the charge be based solely on the viability evidence.

The Economic Viability Study which looked at this issue was prepared for the Council by the District Valuer Service (DVS). The findings of the study clearly demonstrate that a charge can be levied in respect of Primary Health Care provision in the County Borough. DVS suggested a rate up to £125 per sqm could be levied against primary health care development without rendering development unviable. In recognition of the importance of the new health care provision in Rhondda Cynon Taf, the Council set a rate of £60, less than half of that suggested by DVS.

The Council is confident that the proposed CIL charge has been set at an appropriate level however, should the Heath Board experience difficulty in developing sites, the CIL Regulations 2010 set procedures for seeking relief. In considering whether to offer relief and applications seeking relief, the Council will accord fully with the statutory requirements.

**Recommendation:** No change required

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### Representor No 929: Savills, On behalf of the HBF Consortium

#### Comments

##### Executive Summary

This representation has been prepared by Savills in conjunction with the Home Builders Federation (HBF) on behalf of a developer and landowner consortium (the Consortium) to influence the emerging Community Infrastructure Levy (CIL) Charging Schedule proposed by Rhondda Cynon Taf County Borough Council (the Council). The representation is made in respect of the Preliminary Draft Charging Schedule and Infrastructure List.

We recognise that Local Authorities in setting the rate of CIL need to strike an appropriate balance between the desirability of funding from CIL against the potential effects of the imposition of CIL on the economic viability of development (Regulation 14(1) of the 2010 Community Infrastructure Levy, England and Wales Regulations (as amended)).

It is the Consortium's view that the present Preliminary Draft CIL Charging Schedule currently fails to clearly identify those infrastructure projects that will be funded through CIL. Whilst we understand that it is the intention of the Council to provide a list of infrastructure to be funded through CIL within the adopted version of the



charging schedule, the Consortium request that this is made available for consultation prior to adoption. At 2.14 of the Preliminary Draft Charging Schedule, the Council state that “it is anticipated that CIL will be used, **at least in part**, to secure improvements in the provision of education, transportation and highways infrastructure”. This statement raises concern with the Consortium, that it may be the intention of the Council to seek both a CIL levy and additional S106 contributions in respect of projects in the same category. This would be contrary to the recent Community Infrastructure Levy Guidance (December 2012) which states that where the regulation 123 list includes a generic term (such as education or transport), S106 contributions should not normally be sought on any specific projects in that category. Clarity and full consultation on the infrastructure list will help to allay these concerns.

The recent CIL guidance also recommends that as background evidence, the charging authority should prepare and provide information about the amounts raised in recent years through S106 agreements and this should include the extent to which affordable housing and other targets have been met. The Consortium considers that this information should be made available through the consultation process so that the level of proposed CIL levy can be analysed and compared with the current S106 regime.

It should be noted that “central to the delivery of the LDP strategy is the development of 8 strategic sites”. All of these sites are **Brownfield** in nature and are subject to significant abnormal development constraints and costs before they can be delivered. As a result, it is essential that abnormal costs are accounted for in any viability appraisals which inform the CIL charging schedule.

It is unclear from the Preliminary Draft Charging Schedule whether the Council intends to implement any discretionary exceptions/CIL relief. However the ability of the Council to offer this could be critical to the viability of schemes and we would urge the Council to give further consideration to this option, In addition it is important that an instalment policy for the payment of CIL is proposed and that the Council considers more appropriate phasing arrangements for the payment of this to avoid rendering development unviable and allowing cash flow, which is a major consideration in proposing development, to be managed.

The Consortium agrees that due to the economic differences across the Borough, it is appropriate to levy a range of charges, but based on new house price evidence and rates of sale, they do not agree with the physical boundaries of the individual charging zones. Market conditions in the northern part of Zone 3 are much more aligned with those in Zone 2 than the southern part of Zone 3; we therefore consider that the northern section of Zone 3 (including the settlement of Tonyrefail) should be re-zoned to form part of Zone 2.

The Consortium consider that the cost assumptions applied within the DVS appraisals are not reflective of current market practice and applying these rates in setting a CIL levy will place the delivery of sufficient housing development in the Borough at risk. The cost assumptions need to be more robust and in line with actual development costs within the Borough before the Economic Viability Assessment provided by DVS can be considered as sufficient evidence to justify its conclusions and those of the Council in setting its Draft Charging Schedule.

The Consortium members are very keen to meet with the Council and its advisors, Infrastructure Levy, DVS, to discuss amendments to the approach taken.

## Council's Response

The Consortium raises a number of detailed concerns in respect of the following issues:

- a) Clarification is required on what is CIL fundable and what is S106 fundable.
- b) The Council needs to consider the impact of imposing CIL on the development of strategic sites;
- c) The Council should implement a policy of CIL relief in exceptional circumstances
- d) The Consortium does not dispute the fact that an infrastructure funding gap exists, and hence that in principle CIL is justified in the Borough
- e) The Consortium supports the geographic definition of residential Zone 1
- f) The Consortium considers that the boundary of Zone 2 should be amended to include Tonyrefail
- g) The infrastructure list should include the elements that will be funded by the neighbourhood element of CIL
- h) The Instalment phases should be linked to on site delivery and not fixed timescales
- i) The Council should only reclaim 1% or £5000 to cover CIL administration costs
- j) The Charging Schedule should set out a review mechanism for CIL.
- k) Only 10 sites in the County Borough have been assessed and this is neither representative nor robust
- l) The principle of determining viability on a residual valuation exercise is appropriate.
- m) The viability land value benchmarks are too low
- n) The Sales Values adopted by DVS are reasonable and appropriate
- o) The principle of estimating build costs from RICS and adjusting for location and making contingency allowance is accepted
- p) BCIS Costs do not include external works and are insufficient to cover the additional costs of building
- q) The DVS report has made no allowance for the additional costs arising from implementation of Part L and requirement for sprinklers
- r) No allowance has been made for abnormal or additional costs in the assessments
- s) No allowance has been made for marketing costs or planning promotion
- p) The profit level assumed for affordable housing (4.76%) is totally unacceptable and untenable and the general developer profit allowance is set too low at 17.5%
- t) DVS assume Debit finance at 6% that, when taking account of entry, exit and monitoring fees, is lower than market so 7% should be adopted
- u) The DVS assumption of 5.2% credit rate is wholly unacceptable when considering the balance between reserves to pay down debt and that reinvested
- v) No additional S106 Costs have been included in the assessments

In response the Council offers the following comments:

### **a) Clarification is required on what is CIL fundable and what is S106 fundable.**

The Consortium asks for clarity about what in what infrastructure will be covered under CIL and what will remain to be covered by S106.

In order to provide clarity about the infrastructure that will be funded through the CIL and the future requirements of the planning obligations process, the Council will



prepare a draft infrastructure list and a revised planning obligations SPG to accompany the Draft CIL Charging Schedule.

**b) The Council needs to consider the impact of imposing CIL on the development of strategic sites**

The Rhondda Cynon Taf LDP allocates 8 strategic sites in the County Borough. The Table below identifies those sites and the use for which they have been allocated.

Site	Proposed Use
1 Former Maerdy Colliery Site, Rhondda Fach	Employment (1 hectare) Informal Recreation Space
2 Former Fernhill Colliery Site, Blaenrhondda	350 – 400 Dwellings
3 Phurnacite Plant Site, Abercwmboi	500 Dwellings Employment (5.9 hectares) Informal Recreation Space
4 Land at Robertstown / Abernant, Aberdare	500 - 600 Dwellings Employment / Leisure (3.7 hectares)
5 Land South of Hirwaun	400 Dwellings Employment (36 hectares)
6 Former Cwm Colliery and Coking Works. Tyn-y-Nant	800-950 Dwellings Employment (1.9 hectares)
7 Mwyndy / Talbot Green Area	500 Dwellings Employment (15 hectares) Retail (23,400 m <sup>2</sup> ) Leisure (10,000 m <sup>2</sup> )
8 Former OCC Site Llanilid, Llanharan	1950-2100 Dwellings

CIL will not be charged for any the employment elements of these sites.

Sites 2, 3, 4 and 5 are located in residential zone 1 and will therefore not be subject to a CIL charge.

Sites 6, 7 and 8 are all currently subject to planning applications. The Council resolved to approve site 8 subject to a S106 agreement in November 2011. The S106 negotiations are at an advanced stage and it is anticipated that the agreement will be signed before April 2014. The Council resolved to approve the retail element of site 7 subject to a S106 agreement in February 2013. The S106 negotiations are at an advanced stage and it is anticipated that the agreement will be signed before April 2014. The residential element of the scheme will be subject to a CIL charge. A planning application in respect of site 6 was submitted in October 2010 and is still being considered by the Council. Depending on progress the application may be subject to a CIL charge.

In setting the CIL rate the Council has sought to strike a balance between the costs of providing infrastructure needed to support new development and the potential effect of the imposition of the levy on the economic viability of development across the County Borough.



Infrastructure Levy

Competitiveness

In the Council's opinion the proposed charge for each land use and in each zone is

**Recommendation:** No change required

**Representor No 6341: Savills, on behalf of Industrial and Retail Developers / Landowners**

## Comments

Savills are instructed to make representations on the above by Industrial and Retail developers/landowners within RCT. This letter expands upon, and should be read in conjunction with, the comments form.

Our comments on the CIL draft schedule are related to the following:

1. Support for zero tariff for B1, B2 and B8 employment generating uses
2. Objection to the £100 per square metre CIL charge for retail development
3. General comments on the need for clarity on CIL infrastructure and the instalments policy.

### Support for zero rate for B1, B2 and B8 uses

The experience of our client in operating and seeking to regenerate sites within RCT is such that speculative B1, B2 or B8 developments for new floorspace would be unviable in the current economic climate if CIL were levied. Consequently, the setting of any rate for employment uses would be damaging to the potential for economic development within the County Borough. The zero rate proposed is therefore supported.

### Objection to the setting of a rate for retail development

As is the case for B1, B2 and B8 employment uses, retail is recognised by PPW under Chapter 7 as being a form of economic development. Paragraph 7.1.1 states that development that generates wealth, jobs and incomes is considered as economic development, specifically including retail.

At 7.1.2 it goes on to state that it is essential that the planning system considers, and makes provision for, the needs of the entire economy and not just those uses defined in parts B1 to B8 of the Use Classes Order. Paragraph 7.1.3 states that the planning system should support economic development and employment growth alongside social and environmental considerations within the context of sustainable development. To this end, the *planning* system, including planning policies should aim to ensure that the growth of output and employment in Wales as a whole is not considered by a shortage of land for economic uses. Wherever possible, LPAs are encouraged to seek to guide and control economic development (including retail therefore) to facilitate regeneration and promote social and environmental sustainability.

The concern is that the setting of the CIL rate proposed for retail could damage the potential for a key form of physical regeneration and employment opportunities within



the Borough. Whilst some of the examples shown within the viability testing background papers demonstrate that the charge is suitable, there are a number of examples whereby the CIL rate proposed would not be viable.

In parallel to this, there is no evidence presented to demonstrate why retail uses should contribute the same level of CIL payment towards infrastructure as residential uses.

The need for infrastructure in relation to homes is, broadly speaking, far greater than that related to retail development. Whilst large scale retail developments will have impacts upon the highway network, they typically provide for upgrades to local highways infrastructure through S106 payments. Whilst it is understood (but not made explicit within the consultation documents) that the strategic highways contribution will be replaced by CIL, impacts upon the local highways network will continue to be paid for through S106.

Retail developments do not generate need to provide education, public open space, libraries, healthcare and social facilities or other forms of infrastructure outlined within the background documents.

In short, the impacts of retail developments tend to be more localised and relate to highways infrastructure that would ordinarily (and in many case continue to be) funded through S106 payments.

To levy a charge against retail development to cover other infrastructure is not therefore considered equitable.

Therefore, on the basis that:

- The evidence base does not fully demonstrate all forms of retail development can generate the draft CIL charge proposed,
- There is a risk that the CIL charge would make an important form of economic development unviable and,
- That the CIL charge is not justified in relation to the impacts of retail development

It is our view that the CIL charge for retail development should be revised.

It is our view that it forms such an important form of economic development that it should be treated on par with B1, B2 and B8 uses, i.e. that a zero charge should be levied. Localised impacts in terms of the highways network can continue to be levied through any necessary S106 payments.

### Other comments

In terms of other comments, we have an observation to make in terms of the infrastructure schedule and requirement for clarity on the types of infrastructure that CIL will fund.

At present, the Council's SPG on Planning Obligations seeks to levy a strategic highways infrastructure charge on all new development. It should be made clear that within the emerging consultation whether this will be removed entirely from the S106 charges to be levied.

The draft charging schedule also makes reference to an instalment policy. The instalment policy is currently based upon the commencement of development and

## Council's Response

Savill's on behalf of their clients raises concerns in respect of the following issues:

- a). The zero levy for B1, B2 and B8 developments is welcomed and supported;
- b) There is concern that the imposition of a levy for retail development will be harmful to investment and job creation;
- c) It is considered inequitable to levy a charge on retail development to fund infrastructure not be related to the retail development;
- d) Observations are made in respect of the need for clarity in what infrastructure will be covered under CIL and what will remain to be covered by S106, and
- e) Concern is raised over the instalments policy based upon the commencement date only.

Outlined below is the Council's response to each of these issues

### **a) The zero levy for B1, B2 and B8 developments is welcomed and supported.**

Support welcomed.

### **b) There is concern that the imposition of a levy for retail development will be harmful to investment and job creation**

The representor considers that the imposition of a CIL charge of £100 per sqm will be harmful to investment and job creation. In undertaking viability work to inform the preparation of their CIL Charging Schedules Caerphilly, Merthyr Tydfil and Rhondda Cynon County Borough Councils worked together to realise benefits of a study undertaken across an area greater than their individual administrative boundaries. DVS was appointed to undertake the viability assessments for CIL and the authorities provided DVS with a selection of sites across their areas for various land uses. These sites are representative of the sites likely to come forward during the plan period and these were assessed by DVS to establish the viability evidence.

In identifying sites for this assessment process the experience and knowledge of DVS was used to identify uses that would have smaller market areas and would need more intensive site coverage and uses that would be more likely to have large market areas and would require less intensive site coverage. Given the stage of the economic cycle it has been determined that new commercial development will only realistically be delivered by specific business models and these have been focused upon within the viability testing. A1 retailing was considered to have a larger market area and, as a result, 4 sites were identified in Rhondda Cynon Taf. A total of 10 retail sites, 5 comparison and 5 convenience, were identified across the study area. The Council are content that sufficient sites have been assessed to ensure the evidence is robust.

The CIL Regulations and CIL Guidance require that, in setting the CIL Rates, a charging authority must strike "an appropriate balance" between the desirability of generating funding through CIL and the potential effects on economic viability of development in implementing CIL. In simple terms the charging authority needs to strike what appears to it to be an appropriate balance between raising CIL funding and impacting upon site viability. It must be noted that the neither the CIL



Regulations nor any CIL Guidance seeks to maintain the viability of all sites. Consequently there must be an acceptance that a certain amount of development may be made unviable, and it is the level of this effect, considered against the need to raise funding to provide infrastructure to support development, that is the basis of the “appropriate balance”. The findings of the economic viability study indicate clearly that there is variation in the potential rate of CIL to be generated by sites in Rhondda Cynon Taf ranging from -£76 to + £1221. A 10% increase in rental values would mean a variation in potential rates of CIL of between +£108 to + £1448. The viability study recommends a CIL charge for retail development could be set at between £50 and £300 throughout the study area. The Council is content that the CIL Rates for A1 developments is appropriate and is supported by robust viability evidence.

**c) It is considered inequitable to levy a charge on retail development to fund infrastructure not be related to the retail development.**

The representor indicates that, in their opinion, it is inequitable to levy a charge on retail development to fund infrastructure not be related to the retail development.

There is no specific requirement for the any direct relationship between development that is subject to the CIL charge and the infrastructure that is being provided. The CIL Regulations and Guidance make clear that the purpose of the charge is to generate income to fund the delivery of infrastructure necessary to support growth in an area.

In order to provide clarity about the infrastructure that will be funded through the CIL, the Council will prepare a draft infrastructure list to accompany the Draft CIL Charging Schedule.

**d) Observations are made in respect of the need for clarity in what infrastructure will be covered under CIL and what will remain to be covered by S106.**

The representor asks for clarity about what in what infrastructure will be covered under CIL and what will remain to be covered by S106.

In order to provide clarity about the infrastructure that will be funded through the CIL and the future requirements of the planning obligations process, the Council will prepare a draft infrastructure list and a revised planning obligations SPG to accompany the Draft CIL Charging Schedule.

**e) Concern is raised over the instalments policy based upon the commencement date only.**

The representor raises concern over the instalments policy based upon the commencement date only and suggested that the instalment policy should be based on the completions of phases of development. Whilst the Council is sympathetic to the representors suggestion, the approach to be taken to the payment of phasing of instalments is governed by the CIL Regulations. The approach taken by the Council accords with the Regulations.

**Recommendation:** No change required

