

APP/18/00724 Land at Sinah Lane

Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area

Updated Comments - HBC Community Infrastructure Officer 04/10/19:

CIL

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf>

The amounts in the Charging Schedule are indexed according to the year in which permission is issued. If the permission is issued in 2019 the amount of indexation will be 39.73% it is expected to increase if permission is issued in 2020.

The applicant will need to submit CIL Form 10 to obtain mandatory social housing relief. If this is not submitted prior to decision/issue of the CIL Liability Notice then the notice will show the gross amount of CIL due.

S106

Subject to statutory consultee responses we would expect the S106 to include (amongst any other site specific obligations necessary):

1. Affordable Housing
2. Monitoring Fees*
3. Management Company
4. Management Plan
5. Solent Recreation Mitigation Strategy (see further information)**
6. Education (HCC)
7. Travel Plan (HBC)
8. Highway Works (HCC)
9. Site Specific Transport Improvements (HCC)
10. Others/relating to Brent Geese Refuge/Orchard/Open Space areas
11. Nutrient Neutrality: www.havant.gov.uk/nitrogen

SEE THE HBC DEVELOPER CONTRIBUTIONS GUIDE FOR ADDITIONAL INFORMATION:

<http://www.havant.gov.uk/planning-and-environment/planning-policy/community-infrastructure-levy/developer-contributions-guide>

and <https://www.havant.gov.uk/developer-contributions-guide>

***Monitoring Fees:** As part of the 'Heads of Terms' it would be necessary to include monitoring fees. The amended CIL Regulations effective 1/9/19 legitimise the collection of S106 monitoring fees. We already have an agreed schedule of charges and these are currently:

	Prices 2018/2019 and 2019/2020 (effective 1/4/18)	VAT	Comments
S106 Monitoring Fees The Council charges a fee to monitor all planning obligations and this is decided at a cost per head of term contained within the obligation and is in addition to the legal charge for drafting and checking the obligation.	£693 per non-financial head of term	O	Monitoring fee capped at a maximum of £10,000 per application
	5% of cost per financial head of term	O	
Solent Recreation Mitigation Strategy	Sliding Scale calculated on the number of bedrooms per individual dwelling	O	Payment for management of Internationally protected Habitat. Contribution also includes 5% monitoring and £20 administration charge. Further details: www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy

Notes

O = Outside the scope

****Solent Recreation Mitigation Strategy**

The current charges (last updated 1/4/19) are set out below, based on the maximum number of dwellings and bedroom sizes; contribution will be indexed (RPI), these rates are due to be updated 1/4/20:

<http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

No of Bedrooms	Amount	Monitoring Fee
1	£346	Plus 5% of total (sum may be included in 'Monitoring Fees' outlined at point 2)
2	£500	
3	£653	
4	£768	
5+	£902	

Appendix A: Extracts from Planning Practice Guidance – CIL

<https://www.gov.uk/guidance/community-infrastructure-levy>

Where a planning permission is phased, each phase of the development is treated as if it were a separate chargeable development for levy purposes (see [regulation 8\(3A\) as amended by 2014 Regulations](#)). This may apply to schemes which have full planning permission as well as to outline permissions. For further information on outline permissions, see [‘When does a charging schedule come into effect?’](#) and for phased development see [‘Is there another way to allow phased payments?’](#).

Paragraph: 008 Reference ID: 25-008-20190901

Revision date: 01 09 2019

Is there another way to allow phased payments?

Where the planning authority is willing to accept it, a planning permission for a development can be subdivided into ‘phases’ for the purposes of the levy (see [‘How does the levy relate to planning permission?’](#)). This is expected to be especially useful for large scale development, which is an essential element of increasing housing supply.

Large scale developments which are delivered over a number of years face particular issues in relation to cashflow and the delivery of on-site infrastructure. The regulations allow for both detailed and outline permissions (and therefore ‘hybrid’ permissions as well) to be treated as phased developments for the purposes of the levy. [Regulation 9\(4\)](#) provides that each phase of a phased planning permission is a separate chargeable development for CIL purposes and therefore would be liable for separate payments for each phase, and each phased may benefit from any instalment policy that may be in force.

The principle of phased delivery must be expressly set out in the planning permission. Local authorities should work positively with developers to allow such developments to be delivered in phases.

[Phased developments may also benefit from abatement.](#)

Paragraph: 129 Reference ID: 25-129-20190901

Revision date: 01 09 2019