

Dear Lewis,

Many thanks for your email.

We have reviewed the information from the NHS trust which you kindly sent over.

We have the following comments to make.

The information submitted is largely based on a shortfall within the NHS finance, as opposed to additional strain being put on the service by more dwellings, therefore we would question whether the request meets the tests as set out within the CIL regulations. Regulation 122 states that the contribute must be:

- Necessary to make the development acceptable in planning terms
- Directly related to the development and
- Fairly and reasonably related in scale to the development.

We would question whether the request meets these tests.

The Counsel opinion is 4 years old and we would argue that there have been numerous changes to CIL regulations in that time and as such, the counsel opinion is therefore significantly out of date.

The evidence of the appeals are all over 4 years old and since then there have been 3 different iterations of planning policy. Therefore, it is considered that the counsel opinion is out date.

The scheme, as proven through the viability assessment is already found to be unviable, and any further unjustified contributions would only exacerbate this.

As outlined above, reg 122 of the CIL regs states that contributions must be;

- (a)necessary to make the development acceptable in planning terms;
- (b)directly related to the development; and
- (c)fairly and reasonably related in scale and kind to the development.

The proposed contributions fails each one of these tests, as it is not necessary, is clearly not related to the development, and is neither fair or reasonable, (for example the method of calculation for a 1 and 2 bed flatted scheme is flawed).

I trust the above is acceptable and the contribution should not be added to the application.

Kind regards

Aiden

Aiden Murray

Planning Consultant - Planning & Development

JLL

Latimer House 5-7 Cumberland Place | Southampton SO15 2BH

T +44 238 038 5630

M +44 7885 821479

Aiden.Murray@eu.jll.com

jll.co.uk