

**NORTH HORSHAM PARISH COUNCIL
PLANNING, ENVIRONMENT AND TRANSPORT COMMITTEE
THURSDAY 25th MAY 2023 AT 7.30pm
AT ROFFEY MILLENNIUM HALL**

**CLERK'S REPORT TO BE READ IN CONJUNCTION WITH THE AGENDA
Numbers relate to those on the Agenda.**

3. Public Forum

The Public Forum will last for a period of up to 15 minutes during which members of the public may put questions to the Council or draw attention to relevant matters relating to the business on the agenda. Each speaker is limited to 3 minutes. Business of the meeting will start immediately following the public forum or at 7.45pm whichever is the earlier.

5. Declaration of Interests

Members are advised to consider the Agenda for the meeting and determine in advance if they may have a **Personal, Disclosable Pecuniary or Other Registrable Interest** in any of the Agenda items. If a Member decides they do have a declarable interest, they are reminded that the interest and the nature of the interest must be declared at the commencement of the consideration of the Agenda item; or when the interest becomes apparent to them. Details of the interest will be minuted.

If the interest is a **Disclosable Pecuniary Interest**, Members are reminded that they must take no part in the discussions of the item at all; or participate in any voting; and must withdraw from the meeting chamber, unless they have received a dispensation.

Where you have an **Other Registrable Interest** (which is not a Disclosable Pecuniary Interest), Members are reminded that they must withdraw from the meeting chamber after making representations or asking questions.

Decision: To receive any Declarations of Interest from Members of the Committee.

7. Chairman's Announcements

- i. Members are asked to note that the following compliance complaint have been received since the last meeting within the North Horsham Parish:

Ref. EN/23/0218

105 Pondtail Road Horsham West Sussex RH12 5HT

Alleged: development is not in accordance with the plans approved under DC/21/2478 (bungalow has been virtually demolished)

Ref. EN/23/0229

6 Tern Avenue Horsham West Sussex RH12 5AT

Alleged: Air conditioning unit on rear elevation of residential dwelling facing side on to highway

- ii. Members are advised that a further 66 permitted development applications relating to Virgin Media were received within the weekly application list sent to the Parish Clerk on Tuesday 2nd May 2023. HDC were not required to consult us on the applications, and we responded to HDC with no comments to make as per the agreed response to the previous 30 applications discussed at the last PET meeting on 27th April 2023.

8. Planning Appeals

No Appeals have been received or determined since the last meeting.

Decision: To note that there have been no Appeals received or determined since the last meeting

9. Planning Applications

The current list of Planning Applications for comment is attached as **Appendix 1**.

Decision: To consider Planning Applications received since 27th April 2023.

10. Planning Decisions

The current list of Planning Decisions by HDC is attached as **Appendix 2**.

Decision: To note the Schedule of Planning Decisions made by Horsham District Council since the last meeting in respect of previous applications.

11. Infrastructure Levy Consultation

The Infrastructure Levy is the government's proposed system for raising money towards new or improved public service infrastructure when development takes place. It will be managed and received by local planning authorities who will then spend it in accordance with a strategy which they will have to consult upon and publish. There are no new roles or responsibilities for local councils, but they will continue to receive a share of the funds received to spend locally.

Decision: To note the Infrastructure Levy review and the request from NALC for comments on the Community Infrastructure Levy Consultation by DLUHC and agree any action.

12. Speeding along roads within North Horsham Parish

Cllr. R. Turner has received complaints regarding vehicles speeding above the speed limit along roads within the Parish. Particular roads of concern are the Northern Bypass and Lamb Farms Road.

Decision: To discuss the issue of speeding and decide on the roads of concern to submit to WSCC with agreed suggestions of action to be taken.

**NORTH HORSHAM PARISH COUNCIL
SCHEDULE OF PLANNING APPLICATIONS FOR CONSIDERATION
25th MAY 2023**

DC/23/0744	ROFFEY SOUTH
Site Address: Open Space At Junction With Oak Tree Way, Redkiln Way, Horsham, RH13 6EQ Proposal: Surgery to 1x Oak.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0678	HOLBROOK WEST
Site Address: 28 Broome Close, Horsham, RH12 5XG Proposal: Erection of a two-storey side extension.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0681	HOLBROOK WEST
Site Address: 42 Pondtail Road, Horsham, RH12 5HR Proposal: Erection of a garden building to the rear (Retrospective).	
Parish Council Comment 2/05/2023:	
HDC Decision	

DC/23/0520	ROFFEY SOUTH
Site Address: 86 Sycamore Avenue, Horsham, RH12 4TT Proposal: Part conversion of existing loft into habitable space, incorporating creation of a rear dormer.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0788	HOLBROOK EAST
Site Address: 13 Byron Close, Horsham, RH12 5PA Proposal: Erection of a single storey rear extension.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0461 – AMENDED APPLICATION	HOLBROOK EAST
Site Address: 5 Brook Road, Horsham, RH12 5FS Proposal: Erection of a two-storey side extension and front extension – Amended description has been received.	
Previous Parish Council Comment 27/04/2023: No objection but roof of extension is not stepped down.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0614	HOLBROOK WEST
Site Address: 7 Bakehouse Barn Close, Horsham, RH12 5JE Proposal: Erection of a single storey front extension and creation of a gable roof extension to facilitate mezzanine floor.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0635	HOLBROOK WEST
Site Address: 10 Durfold Road, Horsham, RH12 5HZ Proposal: Installation of 2no. Air Conditioning Condenser Units.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0858	ROFFEY SOUTH
Site Address: 28 Rowan Way, Horsham, RH12 4NX Proposal: Erection of an outbuilding.	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0967	ROFFEY SOUTH
Site Address: 146 Crawley Road, Horsham, RH12 4DT Proposal: Erection of a single storey side / rear extension	
Parish Council Comment 25/05/2023:	
HDC Decision	

DC/23/0999	ROFFEY NORTH
Site Address: 94 Lambs Farm Road, Horsham, RH12 4LR Proposal: Erection of single storey front, two storey side, and single storey rear extensions.	
Parish Council Comment 25/05/2023:	
HDC Decision	

**NORTH HORSHAM PARISH COUNCIL
SCHEDULE OF PLANNING DECISIONS1923
27.04.2023 - 25.05.2023**

DC/23/0682	HOLBROOK EAST
<p>Site Address: Street Record Jackdaw Lane Horsham West Sussex RH12 5FT</p> <p>Proposal: 5G rollout - Proposed slimline street pole with equipment cabinets</p>	
<p>Parish Council Comment 27/04/2023: No objection but the placement of the pole and cabinets need to ensure no obstruction to the maintenance of the land.</p>	
HDC Decision	WITHDRAWN

DC/23/0684	HOLBROOK EAST
<p>Site Address: Street Record Jackdaw Lane Horsham West Sussex RH12 5FT</p> <p>Proposal: Proposed 15m high slim line phase 9 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works.</p>	
<p>Parish Council Comment 27/04/2023: No objection to location but have noted the representation letters and the concerns of the local residents.</p>	
HDC Decision	OBJECTION TO NOTIFICATION

DC/23/0405 AMENDED PLANS	HOLBROOK WEST
<p>Site Address: 75 Heath Way, Horsham, RH12 5XF</p> <p>Proposal: Surgery to 1x Oak, and Fell 1x Oak.</p>	
<p>Previous Proposal: Surgery to 2x Oak trees</p> <p>Parish Council Comment 23/03/2023: No objection subject to the comments of HDC's Tree Officer.</p>	
<p>Parish Council Comment 27/04/2023: No objection subject to the comments of HDC's Tree Officer. The Committee requests that the felled tree be replaced with an appropriate native species.</p>	
HDC Decision	PERMITTED

DC/23/0412	HOLBROOK WEST
Site Address: 137 Pondtail Road, Horsham, RH12 5HT Proposal: Demolition of existing conservatory. Conversion of garage into habitable space. Erection of single storey side and rear extension, installation of replacement windows to existing dormers, and replacement of roof to existing house.	
Parish Council Comment 27/04/2023: No comment made due to the application already being Permitted 24/04/2023.	
HDC Decision	PERMITTED

DC/23/0418	HOLBROOK EAST
Site Address: 3 Mallow Close, Horsham, RH12 5GA Proposal: Demolition of the existing conservatory. Erection of a single storey rear extension, conversion of garage into habitable living space. Installation of x3 rooflights, french doors and changes to the fenestration.	
Parish Council Comment 27/04/2023: No objection.	
HDC Decision	PERMITTED

DC/23/0325 – NHPC own the tree	ROFFEY NORTH
Site Address: 15 Cherry Tree Walk, Horsham RH12 4UJ Proposal: Surgery to 1x Hornbeam	
Parish Council Comment 23/03/2023: No comment.	
HDC Decision	PERMITTED

DC/23/0352	HOLBROOK WEST
Site Address: Ballyclare, Pondtail Copse, Horsham RH12 5QA Proposal: Surgery to 2x Oak	
Parish Council Comment 23/03/2023: No objection subject to the comments of HDC's Tree Officer.	
HDC Decision	PERMITTED

DC/23/0292	ROFFEY NORTH
Site Address: 4 Farhalls Crescent, Horsham RH12 4DA Proposal: Removal of existing garage and greenhouse and erection of a front, side, and rear extension.	
Parish Council Comment 23/03/2023: No objection.	
HDC Decision	PERMITTED

DC/23/0247	HOLBROOK EAST
Site Address: 21 Byron Close, Horsham RH12 5PA Proposal: Removal of existing shed and erection of a single storey side extension.	
Parish Council Comment 23/03/2023: No objection.	
HDC Decision	PERMITTED

DC/23/0239	HORSHAM RURAL
Site Address: Graylands Estate, Unit 8 Langhurst Wood Road Horsham West Sussex Proposal: Application to confirm the continuous use of Unit 8 for Class B8 (Storage and Distribution) purposes for a period in excess of ten years prior to the date of this application (Lawful Development Certificate - Existing).	
Parish Council Comment 23/03/2023: No objection.	
HDC Decision	WITHDRAWN

DC/23/0082	ROFFEY NORTH
Site Address: 28 Broadwood Close, Horsham RH12 4JY Proposal: Erection of a first floor side extension	
Parish Council Comment 23/02/2023: No objection.	
HDC Decision	PERMITTED

DC/22/2373	HORSHAM RURAL
Site Address: Broadlands Business Campus, Langhurst Wood Road, Horsham RH12 4QP Proposal: Installation of car port solar PV panels and associated works on existing surface car parks.	
Parish Council Comment: No objection	
HDC Decision	PERMITTED

DC/22/2374	HORSHAM RURAL
Site Address: Broadlands Business Campus, Langhurst Wood Road, Horsham RH12 4QP Proposal: Installation of ground mounted PV panels and associated works including a new perimeter fence and access gate to enclose the PV panel area.	
Parish Council Comment: No objection	
HDC Decision	PERMITTED

DC/22/1994	HOLBROOK WEST
Site Address: The Rising Sun, 41 Pondtail Road, Horsham, RH12 5HP Proposal: Erection of a first floor rear extension	
Parish Council Comment: No objection.	
HDC Decision	PERMITTED

DC/22/1249	HOLBROOK EAST
Site Address: 6 Yarrow Close, Horsham, RH12 5FP Proposal: Change of use of land to residential to provide enlarged residential curtilage and erection of fencing to provide enclosure to land.	
Parish Council Comment: Objections as submitted to DC/22/0074 remain namely that the enclosure of the land damages the open plan appearance of the development and creates an ungainly fence line between 6, Yarrow Close and 2, Champion Road	
HDC Decision	APPEAL SUBMITTED DUE TO NON- DETERMINATION

Sussex Associations of Local Councils

Explanatory note for member councils on the proposed Infrastructure Levy

Prepared by Steve Tilbury Consulting

What is the Infrastructure Levy?

The Infrastructure Levy is the government's proposed system for raising money towards new or improved public service infrastructure when development takes place. It will be managed and received by local planning authorities who will then spend it in accordance with a strategy which they will have to consult upon and publish. There are no new roles or responsibilities for local councils, but they will continue to receive a share of the funds received to spend locally. The Infrastructure Levy will be mainly for buildings and one-off projects. The government does not exclude the possibility of receipts from the Infrastructure Levy being used for revenue funding of services – but points out that a lump sum will eventually run out. Developers cannot be made liable for revenue funding services in perpetuity.

Why is it needed?

We all experience the additional pressure that development can place on local infrastructure such as schools, roads and leisure facilities. Most people working in the planning system – developers included – accept that it is reasonable for at least part of the cost of new or improved infrastructure be met from the financial gain which development creates. There is often an argument about how much this should be and when it should be paid, but the general principle is not in dispute.

Don't we do this already?

Yes, but the government thinks the current arrangements are too 'clunky' and do not capture enough of the potential funding for infrastructure.

At the moment local planning authorities can use two mechanisms:

CIL

The Community Infrastructure Levy (CIL) is a system which involves calculating a tariff for contributions to infrastructure based on the area of different types of development. The funds received are then used to improve local facilities. CIL was introduced in 2010 and it is up to each local planning authority to decide whether to adopt it or not. In West Sussex every local planning authority (including the national park) operates CIL except Mid Sussex and Adur. In East Sussex, only Hastings has not introduced CIL. Local councils receive a percentage of the CIL generated from development in their parish. This is set by the government at 15% (with a cap on the total) if you do not have a neighbourhood plan, and 25% (with no cap) if you do.

Section 106 Agreements

A section 106 agreement is a contract between the local planning authority and the parties to the development which requires them to make certain financial contributions or carry out works at their own expense. Only if they have signed this contractually binding agreement will planning permission be issued. Negotiating section 106 agreements can be time consuming and complicated. It also requires commercial skills which not all local planning authorities have demonstrated.

What's wrong with the current system?

The government believes that both elements of the current system need change.

CIL is not implemented everywhere in the country and is based on a schedule of charges which has to be set on an average basis. It does not take account of the individual value of a development, especially if that increases over time. CIL does not cover the provision of affordable housing, which therefore always has to be dealt with by a Section 106 agreement. The CIL system operates reasonably smoothly and has generated significant amounts of income for local authorities, but the government thinks a more consistent approach is needed and that there is scope to capture more money for public infrastructure.

Section 106 agreements are a very effective mechanism for requiring infrastructure to be delivered, and they can be very flexible. However, they are reliant on local planning authorities being able to negotiate effectively with developers. Some do this well; some do not – and where they do not the community suffers as a result.

The interaction between CIL and Section 106 agreements can be complicated. Many large developments which include their own schools, health facilities, parks and play areas will be 'carved out' of CIL even in those districts where it normally operates. Instead, a Section 106 will be used to address all of the infrastructure requirements. This works well – in fact it works so well that the government accepts that it will have to retain this approach even under the new system. However, on smaller developments where both CIL and a section 106 agreement are needed it can lead to arguments about double counting and what infrastructure payments are covered by CIL and what can be included in a Section 106 agreement.

How is the Infrastructure Levy different?

The Infrastructure Levy will cover infrastructure contributions that are needed to help meet the cumulative impacts of development – like new school places or highway improvements. It will also include the provision of affordable housing. There will be no need for Section 106 agreements for most development which will save time and lawyers' fees. It will apply to most types of development and operate in every local planning authority area.

The local planning authority will set in advance what it will require developers to pay as a percentage of the increase in value their development achieves over the current use when it is finished. In simple terms, the more a development is worth, the more it will pay towards infrastructure. This is a fundamentally different approach from CIL where the charge is determined only by the size and type of development. But there will have to be quite a lot of exceptions, different rates and flexibilities to allow for the fact that land coming forward for development might have exceptional costs, might fall into several different charging categories and might be in multiple ownerships. The rules will have to be carefully drawn up to try to prevent people 'gaming' the system by finding ways to artificially lower the final valuation.

The local planning authority will have to produce an Infrastructure Delivery Strategy for spending receipts from the Infrastructure Levy. The objective, of course, is that this should show how the new schools, health facilities and highway improvements which are needed because of the new development will be provided using the money received from the Infrastructure Levy.

Because payments cannot be made until the value of the development is known – usually when it is finished – local authorities may not have money from developers for years after the development has started. Some payments may be made 'on account' as development progresses, using estimates which are then revised once the final figures are available, but a lot of money may remain tied up

until a final valuation. The government will therefore allow local planning authorities to borrow against the receipts they expect in the future to fund their delivery programme. This is fine in principle, but it is another issue which finance directors will have to manage.

Affordable housing will still be provided on site and the local planning authority will be able to specify the amount up to the policy maximum. The difference in the value of the development that this creates will mean that the amount of the Infrastructure Levy paid in cash will reduce so that the affordable housing becomes 'levy in kind'.

As mentioned, for very large developments which require their own new schools, community facilities, health provision etc the government recognises the effectiveness of the existing system of using a one or more Section 106 agreements to specify what these are and when they will be provided. Slightly perversely therefore, the largest and often most difficult to agree Section 106 agreements will continue to exist under the new system.

Isn't this 'simplified' system still very complicated?

Yes, and this is what the current consultation is about. The government is not asking for views on whether it should introduce the Infrastructure Levy because it has already made that decision (unless it changes its mind of course). It is asking a series of questions which are centred on obtaining advice about the mechanics of the way it will operate – which is why it is specifically called a 'technical' consultation. It will then consult again on the actual proposals when they have been drawn up.

What does it mean for local communities?

In theory, the Infrastructure Levy should capture more funding from the value of new development. If that is then spent wisely it will mean that more infrastructure can be provided, and perhaps in a more coordinated way. But not even the government suggests that the Infrastructure Levy will provide all the funding for infrastructure investment that local communities need. It is designed to be capture more value from development but not to deal with the huge backlog of investment which is so often the underlying problem.

Will local councils still get a share of the funding?

Yes, the government has said that there will still be a local share passed down to local councils. In Question 35 of the consultation, it asks how this proportion of the levy this should be worked out. The question is phrased rather awkwardly, but what it wants to know is whether it should be equivalent to the current amount that parishes receive, or higher, or lower. The actual percentage might well be different from the current 15%/25% because the total pot generated by the levy is expected to be larger.

When will the Infrastructure Levy be introduced?

Not for some time, and possibly not at all. The government has a lot of work to do following this consultation to design what will be a complicated system and then to consult again and bring the levy into force. It says that the Infrastructure Levy will be implemented gradually across the country on a 'test and learn' basis, and it might take up to ten years to get it fully into place. That is assuming it does not have unintended consequences which lead to it being abandoned part way through the roll out.

But it may never see the light of day. Labour party shadow minister Matthew Pennycook has said publicly that if it wins the next general election Labour will not take forward the Infrastructure Levy and given the likely timescales that would mean it is never introduced.

Should local councils respond to the consultation?

Of course if you wish to do so you can respond to the whole consultation. However, most of the questions relate to technical issues about how the levy will be calculated and administered. Some of these will prove extremely complicated to get right. Local councils will not be involved in the process and will not be expected to contribute to resolving how the mechanics should operate. You will be concerned about whether the Infrastructure Levy will work well and will deliver more funding for local facilities and services, but the consultation is not asking for views on that because the government has already decided that it is good idea to go ahead.

With this in mind, if you do wish to respond as an individual parish you may wish to consider providing a short response in your own words covering the small number of specific points of direct concern. Alternatively, you could complete the whole survey online but be prepared to skip the large number of the questions on which you probably will not be able to express an opinion. The questions which you might want to focus on include:

- Q4, Q5 and Q6 which relate to use of funds generated by the levy.
- Q25 and Q26 which relate to the content of the proposed Infrastructure Delivery Strategies – the spending plans which have to be drawn up.
- Q34 and Q35 which relate to the neighbourhood share which would be provided to local councils.

Professional bodies and associations, including your local planning authority, will be responding in more detail and you may wish to send your views to them to help shape what they say.

Summing Up

The introduction of the Infrastructure Levy would be a big change to the planning system. It is intended to produce more money for local infrastructure which, if it succeeds, would be a benefit at community level. There will be a lot of feedback from developers, planners and lawyers about the technicalities of making it work in response to this consultation. Local councils will not be involved directly in operating any part of the new system, the burden for which will fall on your local planning authority. If local councils continue to receive at least the equivalent cash sums as they do now then the new system will be neutral for your spending power, and if more funding is raised overall it could be better for your local communities. But there is a long way to go before it is rolled out - if it is rolled out at all.

This note produced 3 April 2023

29 MARCH 2023

PC1-23 | INFRASTRUCTURE LEVY

Summary

The Infrastructure Levy is a reform to the existing system of developer contributions – Section 106 planning obligations and the Community Infrastructure Levy – in England. The Department for Levelling Up, Housing and Communities (DLUHC) have issued a consultation to inform the design of the Levy and of regulations that will set out its operation in detail.

The main consultation document can be downloaded [here](#). The consultation closes at DLUHC on 9 June 2023.

Context

The consultation seeks insight on:

- technical aspects of the design of the Infrastructure Levy.
- the preparation and content of regulations.

NALC will be responding to this consultation as many local councils will have an interest in feeding in their own views on the existing system of developer contributions and how they relate to proposals for the new Infrastructure Levy.

NALC's current policy positions

NALC will be arguing very strongly that it is right that local councils will receive the 25% neighbourhood share of the Infrastructure Levy. This will ensure communities benefit from development and local councils can invest in local infrastructure and other priorities. It will be important for local councils to have full flexibility in how the levy is used. However, the reported flat share of 25% does not provide an uplift or added incentive for communities that have a made neighbourhood plan in place, which is the presently the case where the Community Infrastructure Levy is charged.

Consultation Questions

The main consultation questions NALC will be responding to in this consultation are as below and NALC seeks the views of county associations and member

councils in response to these questions to help inform its own submission to DLUHC:

Chapter 1: Fundamental design choices

Question 1: Do you agree that the existing CIL definition of ‘development’ should be maintained under the Infrastructure Levy, with the following excluded from the definition:

- developments of less than 100 square metres (unless this consists of one or more dwellings and does not meet the self-build criteria) - Yes/No/Unsure
- Buildings which people do not normally go into - Yes/No/Unsure
- Buildings into which peoples go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery - Yes/No/Unsure
- Structures which are not buildings, such as pylons and wind turbines. Yes/No/Unsure

Question 2: Do you agree that developers should continue to provide certain kinds of infrastructure, including infrastructure that is incorporated into the design of the site, outside of the Infrastructure Levy? [Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary.

Question 3: What should be the approach for setting the distinction between integral and Levy-funded infrastructure? [see para 1.28 for options a), b), or c) or a combination of these]. Please provide a free text response to explain your answer, using case study examples if possible.

Question 4: Do you agree that local authorities should have the flexibility to use some of their levy funding for non-infrastructure items such as service provision? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.

Question 5: Should local authorities be expected to prioritise infrastructure and affordable housing needs before using the Levy to pay for non-infrastructure items such as local services? [Yes/No/Unsure]. Should expectations be set through regulations or policy? Please provide a free text response to explain your answer where necessary.

Question 6: Are there other non-infrastructure items not mentioned in this document that this element of the Levy funds could be spent on?

[Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.

Question 7: Do you have a favoured approach for setting the ‘infrastructure in-kind’ threshold? [high threshold/medium threshold/low threshold/local authority discretion/none of the above]. Please provide a free text response to explain your answer, using case study examples if possible.

Question 8: Is there anything else you feel the government should consider in defining the use of s106 within the three routeways, including the role of delivery agreements to secure matters that cannot be secured via a planning condition? Please provide a free text response to explain your answer.

Chapter 2: Levy rates and minimum thresholds

Question 9: Do you agree that the Levy should capture value uplift associated with permitted development rights that create new dwellings? [Yes/No/Unsure]. Are there some types of permitted development where no Levy should be charged? [Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary.

Question 10: Do you have views on the proposal to bring schemes brought forward through permitted development rights within scope of the Levy? Do you have views on an appropriate value threshold for qualifying permitted development? Do you have views on an appropriate Levy rate ‘ceiling’ for such sites, and how that might be decided?

Question 11: Is there is a case for additional offsets from the Levy, beyond those identified in the paragraphs above to facilitate marginal brownfield development coming forward? [Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary, using case studies if possible.

Question 12: The government wants the Infrastructure Levy to collect more than the existing system, whilst minimising the impact on viability. How strongly do you agree that the following components of Levy design will help achieve these aims?

- Charging the Levy on final sale GDV of a scheme [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]**
- The use of different Levy rates and minimum thresholds on different development uses and typologies [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]**

- Ability for local authorities to set 'stepped' Levy rates [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]
- Separate Levy rates for thresholds for existing floorspace that is subject to change of use, and floorspace that is demolished and replaced [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]

Question 13: Please provide a free text response to explain your answers above where necessary.

Chapter 3: Charging and paying the Levy

Question 14: Do you agree that the process outlined in Table 3 is an effective way of calculating and paying the levy? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.

Question 15: Is there an alternative payment mechanism that would be more suitable for the Infrastructure Levy? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.

Question 18: To what extent do you agree that a local authority should be able to require that payment of the Levy (or a proportion of the Levy liability) is made prior to site completion? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]. Please explain your answer.

Question 19: Are there circumstances when a local authority should be able to require an early payment of the Levy or a proportion of the Levy? Please provide a free text response to explain your answer where necessary.

Chapter 4: Delivering infrastructure

Question 21: To what extent do you agree that the borrowing against Infrastructure Levy proceeds will be sufficient to ensure the timely delivery of infrastructure? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure]. Please provide a free text response to explain your answer where necessary.

Question 22: To what extent do you agree that the government should look to go further, and enable specified upfront payments for items of infrastructure to be a condition for the granting of planning permission? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a

free text response to explain your answer where necessary.

Question 23: Are there other mechanisms for ensuring infrastructure is delivered in a timely fashion that the government should consider for the new Infrastructure Levy? [Yes/No/Unsure] Please provide free text response to explain your answer where necessary.

Question 24: To what extent do you agree that the strategic spending plan included in the Infrastructure Delivery Strategy will provide transparency and certainty on how the Levy will be spent? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree] Please provide a free text response to explain your answer where necessary.

Question 25: In the context of a streamlined document, what information do you consider is required for a local authority to identify infrastructure needs?

Question 26: Do you agree that views of the local community should be integrated into the drafting of an Infrastructure Delivery Strategy? [Yes/No/Unsure] Please provide a free text response to explain your answer where necessary.

Question 27: Do you agree that a spending plan in the Infrastructure Delivery Strategy should include:

- Identification of general integral infrastructure requirements
- Identification of infrastructure/types of infrastructure that are to be funded by the Levy - Prioritisation of infrastructure and how the Levy will be spent
- Approach to affordable housing including right to require proportion and tenure mix
- Approach to any discretionary elements for the neighbourhood share
- Proportion for administration
- The anticipated borrowing that will be required to deliver infrastructure
- Other - please explain your answer
- All of the above

Question 28: How can we make sure that infrastructure providers such as county councils can effectively influence the identification of Levy priorities?

- Guidance to local authorities on which infrastructure providers need to be consulted, how to engage and when
- Support to county councils on working collaboratively with the local authority as to what can be funded through the Levy

- Use of other evidence documents when preparing the Infrastructure Delivery Strategy, such as Local Transport Plans and Local Education Strategies
- Guidance to local authorities on prioritisation of funding
- Implementation of statutory timescales for infrastructure providers to respond to local authority requests
- Other - please explain your answer

Question 29: To what extent do you agree that it is possible to identify infrastructure requirements at the local plan stage? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.

Chapter 5: Delivering affordable housing

Question 30: To what extent do you agree that the 'right to require' will reduce the risk that affordable housing contributions are negotiated down on viability grounds? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.

Question 31: To what extent do you agree that local authorities should charge a highly discounted/zero-rated Infrastructure Levy rate on high percentage/100% affordable housing schemes? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary

Question 32: How much infrastructure is normally delivered alongside registered provider-led schemes in the existing system? Please provide examples.

Question 33: As per paragraph 5.13, do you think that an upper limit of where the 'right to require' could be set should be introduced by the government? [Yes/No/unsure] Alternatively, do you think where the 'right to require' is set should be left to the discretion of the local authority? [Yes/No/unsure]. Please provide a free text response to explain your answer where necessary.

Chapter 6: Other areas

Question 34: Are you content that the Neighbourhood Share should be retained under the Infrastructure Levy? [Yes/No/Unsure?]

Question 35: In calculating the value of the Neighbourhood Share, do you think this should A) reflect the amount secured under CIL in parished areas (noting

this will be a smaller proportion of total revenues), B) be higher than this equivalent amount C) be lower than this equivalent amount D) Other (please specify) or E) unsure. Please provide a free text response to explain your answer where necessary

Question 36: The government is interested in views on arrangements for spending the neighbourhood share in unparished areas. What other bodies do you think could be in receipt of a Neighbourhood Share in such areas?

Question 37: Should the administrative portion for the new Levy A) reflect the 5% level which exists under CIL B) be higher than this equivalent amount, C) be lower than this equivalent amount, D) Other, (please specify), or E) unsure. Please provide a free text response to explain your answer where necessary.

Question 38: Applicants can apply for mandatory or discretionary relief for social housing under CIL. Question 31 seeks views on exempting affordable housing from the Levy. This question seeks views on retaining other countrywide exemptions. How strongly do you agree the following should be retained:

- residential annexes and extensions; [Strongly Agree/Agree/Disagree/Strongly Disagree]

- self-build housing; [Strongly Agree/Agree/Disagree/Strongly Disagree]

If you strongly agree/agree, should there be any further criteria that are applied to these exemptions, for example in relation to the size of the development?

Question 39: Do you consider there are other circumstances where relief from the Levy or reduced Levy rates should apply, such as for the provision of sustainable technologies? [Yes/No/Unsure]. Please provide a free text response to explain your answer where necessary.

Question 40: To what extent do you agree with our proposed approach to small sites? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.

Question 41: What risks will this approach pose, if any, to SME housebuilders, or to the delivery of affordable housing in rural areas? Please provide a free text response using case study examples where appropriate.

Question 42: Are there any other forms of infrastructure that should be exempted from the Levy through regulations?

Question 43: Do you agree that these enforcement mechanisms will be sufficient to secure Levy payments? [Strongly Agree/Agree/Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary.

Chapter 7: Introducing the Levy

Question 44: Do you agree that the proposed ‘test and learn’ approach to transitioning to the new Infrastructure Levy will help deliver an effective system? [Strongly Agree/Agree/ Neutral/Disagree/Strongly Disagree/Unsure] Please provide a free text response to explain your answer where necessary

Your evidence

Please email your responses to this consultation to chris.borg@nalc.gov.uk by 17.00 on 19 May 2023. County associations are asked to forward this briefing onto all member councils in their area.

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