

Simon Leask

ATLAS

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Agency

Advisory Team for Large
Applications (ATLAS)

**A NATIONAL
AGENCY**

**WORKING
LOCALLY**



CIL: A Strategic Development Perspective

Event: HBF Planning Conference
2013

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Introduction to ATLAS

- Advisory Team for Large Applications
- Large scale, complex sites
- Rolling prog 60 projects – Av 2,000+ units
- Helping local authorities and partners bring good quality and deliverable proposals through the planning system
- NOT decision makers on applications
- Impartial & independent



The need for infrastructure

- Development must provide the necessary infrastructure to be acceptable
- The landowner and developer need to make a fair contribution
- The right infrastructure is essential in order to sell houses
- NPPF emphasises the importance of comprehensive realistic and deliverable plans.



s106...Heads of Terms or just Headaches



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- Related to mitigation of development impacts
- Individual applications assessed separately
- Often results in a very long list of HoTs. Therefore can be complex
- Often agreements are time related, resulting in issues affecting delivery of large scale infrastructure
- Contributions sometimes returned unspent
- Legalistic and time consuming
- Developers not sure about costs associated with their proposals – lack of clarity!



Developing the rationale behind CIL

- Meant to be clear and established ahead of development
- Fair and equitable alternative to S106
- Should respond to local circumstances
- NPPF- should support and incentivise new development
- Ability to deal with sub regional infrastructure
- Based on evidence tested at Inquiry – viability relating to geography and economy of location
- Overarching importance of viability and deliverability

Essentially - The need for a planned approach to funding
infrastructure



Quick resume

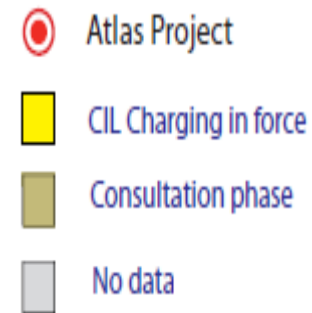
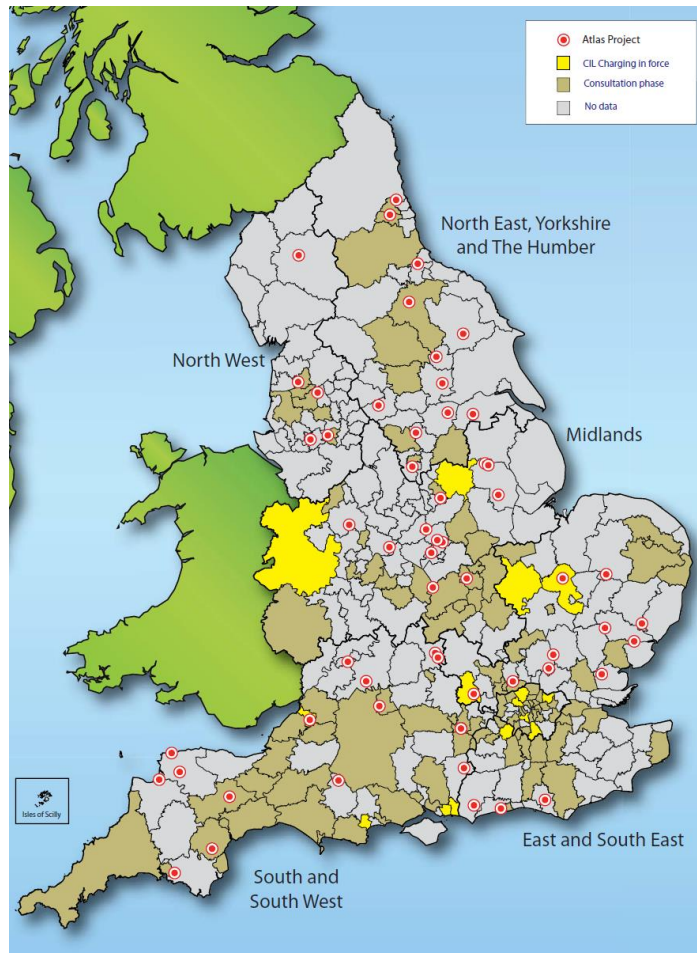
Pro's & Cons of s106 and CIL

- s106 tried and tested
 - Ties infrastructure to delivery at the right time
 - Site by site flexibility
 - Still s278 to be paid (currently under review as part of latest consultation)
-
- CIL- seen as new and complex
 - 'All' development contributes
 - A challenge to tie contributions to delivery
 - Upfront infrastructure – practicalities relating to who pays?
 - Development viability effects ability to deliver essential infrastructure





ATLAS PROJECTS AND CIL



Our experience & what's happening out there



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- Very mixed picture across the Country
- Very few Charging Schedules adopted in areas where ATLAS are involved
- Wide range of CIL rates proposed, high rates in the South, fewer and lower in the North
- London CILs are significantly higher in west and lower in east eg Hammersmith and Fulham and Newham
- Some Local Authorities have excluded SUE's from their CIL Charging Schedules or if they are included them lower rates proposed
- Some cross boundary working
- Evidence on impacts Not conclusive at present but clearly problems exist



Emerging themes and issues (1)

- Number of Council's excluding large sites from CIL charging schedules, relying on s106 instead
- Where CIL is being proposed lower rate being proposed on SUE's
- Lack of flexibility, where there are site specific considerations
- Things that take the "Hit" currently Affordable Housing
- Possibility of competition between neighbouring local authorities
- "Quality of Place" not always being considered





Emerging themes and issues (2)

- HBF and others demanding review
- ‘Fighting fund’ established
- Judicial Review at Central Lancs
- Possibility of widening the gap between those areas which can utilise CIL and those where viability is marginal
- Questions remain about upfront funding and securing payback (Still early days for RIF style mechanisms)
- Doubts about the delivery of infrastructure (particularly outside London)



It needs to be a partnership!

Collaborate on CIL and infrastructure



- Work closely with the LPA. Get involved in the process early!
 - Share knowledge and help in the development of the evidence base
 - Don't take your eye off the ball
-
- Be pro-active as opposed to be reactive
 - Be realistic and fair (open book approach)
 - Important to engage and develop a shared approach to infrastructure needs and delivery



It needs to be a partnership! (continued)

- Help to improve confidence and trust
- Work together on funding approaches and minimising risk
- Development agreements and the offer of land as security
- Lobby...but only on the basis of robust academic evidence rather than rhetoric
- Help to develop the compromise approach!





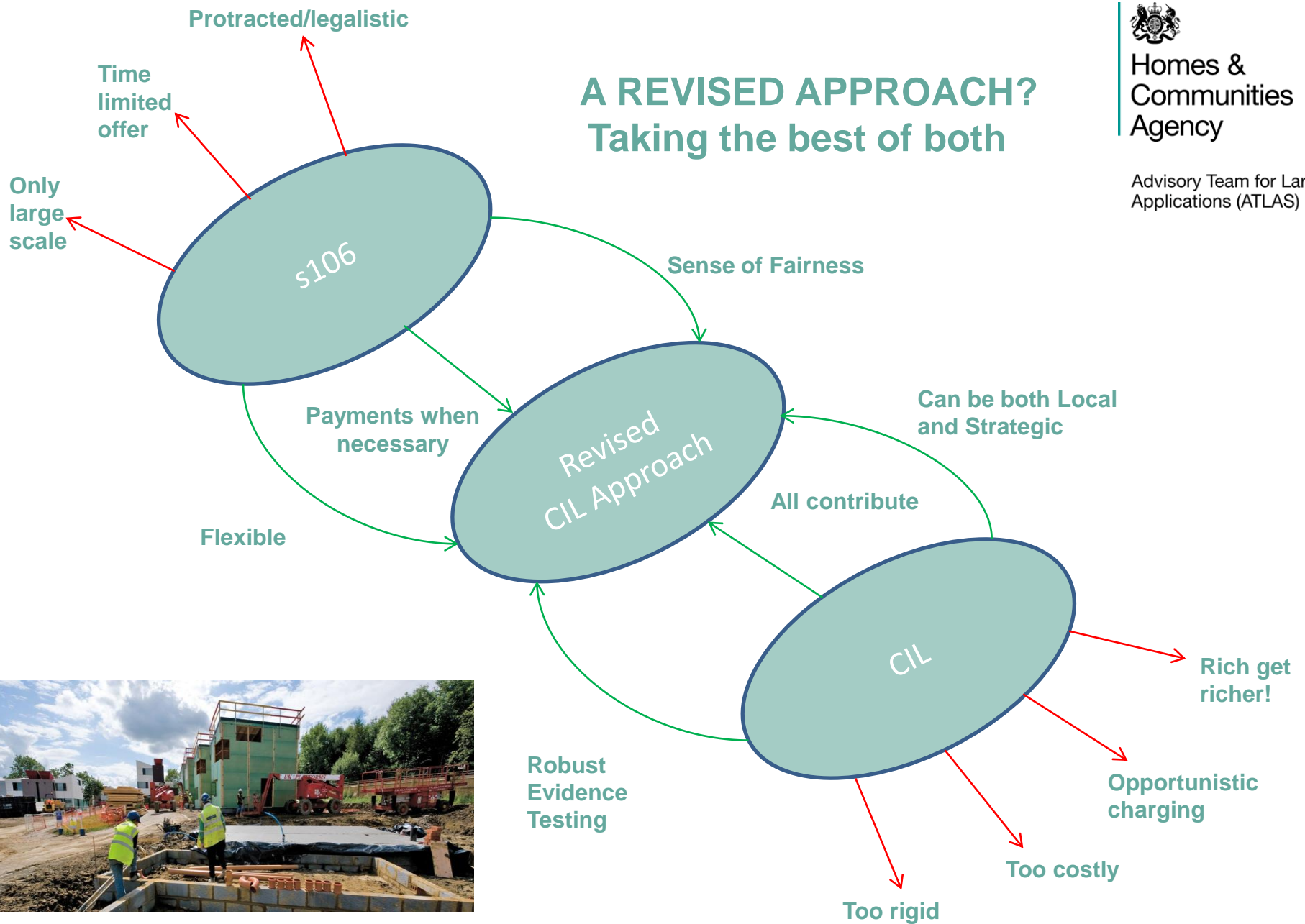
Issues for Large Scale Sites

- The need to understand when key infrastructure will be delivered and knowing that the money will be there.
- Phasing and delivery
- The strategic needs of the local authority and the needs of the individual large sites
- They are complex and require bespoke solutions not a one size fits all approach.





A REVISED APPROACH? Taking the best of both





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Any Questions ?



Contact Details

For further information

The ATLAS Guide:
Planning for Large Scale Development
www.atlasplanning.com

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