1. The South Downs National Park Authority (‘the Authority’) has published this Community Infrastructure Levy (‘CIL’) Preliminary Draft Charging Schedule as the Local Planning Authority and CIL Charging Authority for the entire area of the South Downs National Park, under powers provided by Section 206 of the Planning Act 2008.

2. This Preliminary Draft Charging Schedule is published for public consultation as the first step in setting a CIL charge for the South Downs National Park. It is published in accordance with Regulation 15 of the CIL Regulations 2010 and the consultation process will follow the statutory Guidance 2013. The Authority will take into account any comments made on this document before publishing a Draft Charging Schedule for examination.

3. The CIL was introduced by Part 11 of the Planning Act 2008 and is governed by the CIL Regulations 2010 (as amended). Statutory Guidance was published by the Department for Communities and Local Government in April 2013. The South Downs National Park Authority intends to adopt and implement a CIL Charging Schedule on 1 May 2015. The current requirements for planning obligations under Section 106 of the Planning Act will continue until the CIL is adopted.

4. The Authority is required to, in setting CIL rates, ‘strike an appropriate balance between’ the desirability of funding infrastructure from the levy and ‘the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area’.1

5. The rates proposed in this consultation document have therefore been informed by evidence of both infrastructure needs and development viability. The finance secured through the CIL will provide additional investment for infrastructure delivery in support of new development across the National Park area. It will not threaten the viability of the development strategy in the emerging South Downs National Park Local Plan and the Partnership Management Plan, as required by the statutory Guidanceii and the National Planning Policy Framework.iii

### Appropriate evidence

6. The South Downs National Park CIL rates must be informed by appropriate available evidence.iv

7. The evidence underpinning the CIL rates is:
   - South Downs National Park Local Plan options consultation document
   - Partnership Management Plan
   - Draft Infrastructure Delivery Plan, and
   - Community Infrastructure Levy and Affordable Housing Viability Assessment.

8. This evidence can be found at the Authority’s website: [www.southdowns.gov.uk/CIL](http://www.southdowns.gov.uk/CIL).

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1 Regulation 14 (as amended by Regulation 5(3) of the CIL Amendment Regulations 2014).

ii CIL Guidance 2013, para.8.


iv Defined by Section 211 (7A) of Planning Act 2008 (as amended by Section 114(2) of the Localism Act 2011) and Regulation 14 (as amended by Regulation 5 of the CIL Amendment Regulations 2014).
9. The proposed rates set out below are supported by evidence of development viability across the South Downs National Park area. These rates will come into force in May 2015, subject to amendment if necessary, and will be non-negotiable.

<table>
<thead>
<tr>
<th>Use of Development</th>
<th>Proposed Levy (£/m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential – Zone 1</td>
<td>150*</td>
</tr>
<tr>
<td>Residential – Zone 2</td>
<td>100*</td>
</tr>
<tr>
<td>Residential – Zone 3</td>
<td>200*</td>
</tr>
<tr>
<td>Large format retail vi</td>
<td>120</td>
</tr>
<tr>
<td>All other development</td>
<td>0</td>
</tr>
</tbody>
</table>

10. The ‘chargeable amount’ of CIL for any new development is calculated in accordance with Part 5 of the CIL Regulations (2010, as amended). The locally set rates above are multiplied by the ‘gross internal area’ vii of new buildings and enlargements to existing buildings, taking demolished floorspace into account and subject to the exemptions listed in Part 6 of the Regulations.

11. Part 6 of the CIL Regulations 2010 (as amended) exempts the following types of development from CIL liability:
   - Social (affordable) housing

The proposed ‘Residential’ levy rates are based on an interim assumption of 40 per cent affordable housing policy in the emerging Local Plan. If a different affordable housing policy is set following the Local Plan options consultation, the CIL rate will be adjusted accordingly. See the Viability Assessment for further information.

‘Large format retail’ means convenience-based supermarkets and superstores and retail warehouses with a net retail selling space of over 280m²; units are shopping destinations in their own right where weekly food shopping needs are met and can include non-food floorspace as part of the overall mix of the unit; or specialising in the sale of household goods (such as carpets, furniture and electrical), DIY items and other ranges of goods, catering for mainly car-borne customers.

12. The Authority is proposing to set differential rates, in accordance with Regulation 13, for different intended uses of development. For residential uses, the Authority also proposes to set differential rates for different geographical zones with reference to viability evidence. The boundaries of residential zones are shown on the Preliminary Draft Charging Schedule Map (at the end of this document). Zone 1 relates to Petersfield, Lewes, Petworth and Midhurst; Zone 2 relates to Liss; Zone 3 relates to all other areas.

13. The CIL rates will increase with market inflation over time to ensure their effectiveness at delivering infrastructure. They are linked to the All-in Tender Price Index published by the Building Cost Information Service of the Royal Institute of Chartered Surveyors.

14. The CIL Regulations allow the Authority to make certain choices about how to implement the CIL. Some of these discretionary matters relate to exemptions from paying a CIL levy for certain types of development. All choices on discretionary matters are flexible and can be amended or removed at any time.

15. The Authority welcomes your comments on the following discretionary matters.

Payment by instalments viii

16. Payment of a CIL charge is due from the date a chargeable development commences. The Authority can offer the payment of CIL by

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v The Authority will use the HMRC Valuation Office Agency’s definition of gross internal area.

vi The proposed ‘Residential’ levy rates are based on an interim assumption of 40 per cent affordable housing policy in the emerging Local Plan. If a different affordable housing policy is set following the Local Plan options consultation, the CIL rate will be adjusted accordingly. See the Viability Assessment for further information.

vii ‘Large format retail’ means convenience-based supermarkets and superstores and retail warehouses with a net retail selling space of over 280m²; units are shopping destinations in their own right where weekly food shopping needs are met and can include non-food floorspace as part of the overall mix of the unit; or specialising in the sale of household goods (such as carpets, furniture and electrical), DIY items and other ranges of goods, catering for mainly car-borne customers.

viii Enabled by Regulation 69B of the CIL Regulations 2010 (as amended).
instalments to provide flexibility and support for more complicated developments. An ‘instalment policy’ stating the parameters of this process would be published alongside the adopted Charging Schedule. The Authority welcomes your comments on the use of an instalments policy and what it should contain.

**Relief for exceptional circumstances**

17. Liability to pay a CIL charge on chargeable development is a statutory obligation and is non-negotiable. The Authority can, however, in exceptional circumstances offer discretionary relief from liability to pay a CIL charge. Offering this relief would provide the Authority with some flexibility to deal with complex sites which are proved to have exceptional costs or other requirements which make them unviable. Justification for this relief would have to be demonstrated through appropriate evidence of viability and is entirely at the discretion of the Authority. This relief can be activated and deactivated at any time subject to a notice of intention to be published by the Authority. The Authority welcomes your comments on exceptional circumstances relief.

**Land- and infrastructure-in-kind**

18. The Authority can allow, at its discretion, the value of land transferred to the Authority and infrastructure provided or constructed by a developer to be offset against the CIL charge. This would enable developers to provide the infrastructure needed to support new development directly, rather than paying for it indirectly through the CIL. The value of land- and infrastructure-in-kind would be determined by the District Valuer. The Authority welcomes your comments on payment-in-kind.

**Relief for charitable investment activities**

19. The Authority can allow, at its discretion, relief from CIL liability to charity landowners where the greater part of a development is held as an investment from which the profits are applied for charitable purposes. The Authority welcomes your comments on this form of relief.

**Relief for low-cost market housing**

20. The Authority can allow, at its discretion, relief from liability to pay a CIL charge to new market houses that are to be sold at no more than 80 per cent of their market value. The Authority welcomes your comments on this form of relief.

**Consultation process**

21. The consultation period for this Preliminary Draft Charging Schedule will run from February to April 2014. Comments are invited from all stakeholders, individuals and groups in this open consultation particularly related to the proposed rates, the ‘discretionary matters’ and any other issues you wish to raise.

22. Comments are invited using the following contact details:

- **Website:**
  www.southdowns.gov.uk/cil
- **Email:**
  CIL@southdowns.gov.uk
- **Phone:**
  0300 303 1053
- **Post:**
  CIL Project Manager
  Hatton House
  Bepton Road
  Midhurst
  West Sussex
  GU29 9LU

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ix Enabled by Regulations 55 and 57 of the CIL Regulations 2010 (as amended) and CIL Relief: Information document (May 2011).

x Enabled by Regulations 59 and 73 of the CIL Regulations 2010 (as amended by Regulation 8 of the CIL Amendment Regulations 2014).

xi Enabled by Regulations 44–48 of the CIL Regulations 2010.

xii Enabled by Regulation 49A of the CIL Regulations 2010 (as amended by Regulation 7 of the CIL Amendment Regulations 2014).
Accessibility

23. All documents related to this consultation are available on the Authority’s website (www.southdowns.gov.uk/cil). Printed copies, a large-print version and other formats can be requested using any of the contact details above or viewed at the Authority offices in Midhurst.

Next steps

24. The Authority will take into account any comments made on this document before publishing a Draft Charging Schedule in late 2014. An independent examiner must approve the Draft Charging Schedule before the Authority can adopt a final Charging Schedule. The CIL charge will be applied to all liable planning permissions from the date of adoption in May 2015. The CIL rates will be reviewed periodically thereafter.
Residential Rates: Differential Zones

- £150/m² – Zone 1
- £100/m² – Zone 2
- £200/m² – Zone 3

SDNPA Charging Authority area