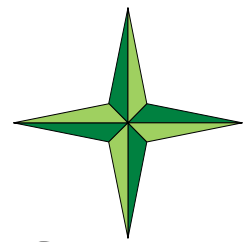


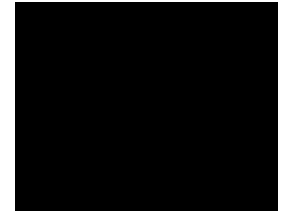
Your Ref:
Our Ref: DJB/0212

9 November 2022

Planning Policy
Brentwood Borough Council
Town Hall
Ingrave Road
Essex
CM15 8AY



STAR
**Planning and
Development**



Dear Sir

Ref: Community Infrastructure Levy Draft Charging Schedule

This representation is submitted on behalf of CEG Land Promotions Limited and the owners (collectively referred to as CEG) of the land at Dunton Hills which is the subject of the Garden Village proposal included at Policy R01 of the Brentwood Local Plan.

CEG is fully supportive of the Council's intention to apply a 'zero' rate for the Community Infrastructure Levy (CIL) to Dunton Hills Garden Village. This is both a realistic and sensible approach to adopt because of the circumstances associated with the bespoke delivery of infrastructure for a Garden Village and the viability considerations.

CEG note that, despite viability works being undertaken associated with the outline planning application for the vast majority of the Garden Village allocation, the CIL Assessment Update (August 2022) prepared by HDH Planning and Development Limited retains the Benchmark Land Value (BLV) of £570,000 per gross hectare from the original Assessment (October 2018). The original Assessment accompanied the Local Plan's Regulation 19 version and was the subject of examination as part of the evidence base.

CEG is supportive of the retained BLV because it is entirely appropriate and correct that the BLV for CIL should be the value which underpinned the preparation of the Local Plan, the associated policy aspirations and the evidence presented by the Council to the Inspectors who examined the Local Plan. Indeed, the Local Plan was only adopted by the Council in March 2022 and hence there can be no cogent reasons to depart from a BLV which informed such a recently adopted plan. The BLV has been known to all parties since at least October 2018 and has not changed.

Further, the established, and now maintained, BLV for Dunton Hills Garden Village was based upon a site-specific Existing Use Value (EUV) of £100,000 per gross hectare to which a premium was added (EUV+). The 'plus' element for greenfield land was advised to the Council by its Viability Consultant and has been consistently adopted in both the original Assessment and the Updated Assessment. The EUV+ site-specific approach accords with the requirements for viability appraisals set out in the Planning Practice Guidance (at paragraph 013 Reference ID: 10-013-20190509) rather than adopt a comparable type of approach by seeking to apply generic values from other schemes elsewhere within the country to a particular allocation.





In establishing the BLV for Dunton Hills Garden Village the original Assessment, the viability included in the Statement of Common Ground (Document F17E) between the Council and CEG submitted to the Local Plan examination in November 2020 and the Assessment Update have all adopted a site-specific viability approach to this strategic site rather than relying on a generic typology approach. This site-specific approach is consistent with paragraph 005 Reference ID: 10-005-20180724 of the Planning Practice Guidance.

The 3 viability appraisals undertaken have reflected the implications of abnormal costs, site-specific infrastructure costs and professional site fees associated with the Garden Village. Such an approach to site-specific viability establishing and testing a BLV is again entirely consistent with Planning Practice Guidance (paragraph 014 Reference ID: 10-014-20190509).

The EUV, and hence the BLV, for Dunton Hills Garden Village has been informed on 3 occasions by market evidence of current uses, costs and values. These matters have been tested through 3 published site-specific viability appraisals involving the Council's Viability Consultant. These testing exercise have included the availability of the infrastructure and abnormal costs from both the Infrastructure Delivery Plan (IDP) and those advised to the Council by CEG when the Statement of Common Ground was prepared. Even with this site-specific information the Council and its Viability Consultant has not change EUV and BLV.

It is noted that the Assessment Update has updated the costs for developing Dunton Hills Garden Village and also retains a generic sales value based upon the Borough as a whole. However, as the Council is aware, a site-specific Viability Report (August 2021) has been submitted to accompany CEG's outline planning application which includes updated revenues for the locality (i.e. in and around Dunton rather than the entire Borough) as well as costs. All other assumptions, including the BLV, are "*based upon refer back to the viability appraisal which informed the plan*" (Planning Practice Guidance paragraph 008 Reference ID: 10-008-20190509) albeit including a return for the master developer as agreed with the Council in the Statement of Common Ground.

The approach being adopted by CEG of only updating of the site-specific revenue and costs (and keeping all other assumptions the same) at the planning application stage is consistent with the Planning Practice Guidance. This compliance with the Planning Practice Guidance extends to CEG being fully transparent with the Council and its Viability Consultant about the assumptions which underpin these amendments.

In any event, the site-specific viability submitted with the application is supportive of the Updated Assessment's conclusion that Dunton Hills Garden Village should be "zero" rated for CIL because it cannot support such payments alongside the costs attributed to the development by the IDP.

If you require any further information or clarification about this representation then please contact me.

Yours faithfully

David Barnes