

Local Plan for the Bradford District

**Community Infrastructure Levy:  
Draft Charging Schedule**

**Self-Assessment Checklist**

**2016**

**Note:-**

This checklist is based on the checklist prepared by the Planning Advisory Service (PAS) April 2014 for the purposes of undertaking a self-assessment to make sure the Council's approach setting their CIL is accordance with Statutory Guidance for Community Infrastructure Levy (CIL) that Charging Authorities must have regard to.

The City of Bradford Metropolitan District Council (the council) has used this checklist to demonstrate how the CIL Draft Charging Schedule is in accordance with statutory guidance issued under section 221 of the Planning Act 2008, relevant CIL Regulations (as amended) and the National Planning Practice Guidance (NPPG).

The PAS checklist is based on the April 2013 CIL: Guidance published by the Department for Communities and Local Government. This is referred to in the checklist as the 'new statutory Guidance'. Since the checklist was produced this Statutory Guidance has been replaced by CIL Guidance as set out in the Government's online National Planning Practice Guidance (NPPG). Guidance on the CIL was added to the NPPG website on 12 June 2014. The April 2013 CIL: Guidance published by the Department for Communities and Local Government was archived when the NPPG web-based resource was launched in March 2014. For clarity the council have replaced references to the previous CIL Guidance with the latest relevant paragraph in the CIL NPPG where appropriate.



planning advisory service

## **CIL: Setting and examination checklist (revised April 2014)**

**PAS have drawn up a checklist of questions to help those that are setting their CIL or going forward to examination, to make sure that they approach setting their CIL in accordance with the new statutory guidance issued in February 2014**

The statutory guidance is issued under section 221 of the Planning Act 2008 and Charging Authorities must have regard to it. The checklist questions should help you to make sure that you have used all the relevant evidence in setting your CIL, and can produce it at examination.

Question	Evidence Provided
<b>Overarching questions 1-10: What the examiner needs to establish</b>	
1. Has the charging authority complied with the requirements set out in Part 11 of the Planning Act 2008 (as amended by the Localism Act) and the CIL Regulations?	The council considers that it has complied with the requirements set out in the Planning Act 2008 (as amended by the Localism Act) and the CIL Regulations (as amended). This is set out in the CIL Statement of Procedural and Legal Compliance 2016.
2. Is the charging authority's draft charging schedule supported by background documents containing appropriate available evidence? (NPPG paras 16-28)	<p>The Draft Charging Schedule is supported by appropriate available evidence set out in the following documents:</p> <ul style="list-style-type: none"> <li>• Local Infrastructure Plan (December 2015 Update)</li> <li>• Bradford CIL Viability Evidence (June 2015)</li> <li>• Bradford CIL Viability Evidence Addendum (December 2015)</li> </ul> <p>The council have summarised the evidence informing the DCS in the CIL DCS Background Paper (2016)</p>
3. Has the charging authority provided evidence of an infrastructure aggregate funding gap that demonstrates the need to levy CIL (NPPG para: 017)	Evidence of an infrastructure funding gap is set out in the Local Infrastructure Plan (December 2015 Update) Appendix C. This has been used to provide evidence of an aggregate funding gap that demonstrates the need to levy CIL in the District.
4. Is the proposed rate or rates informed by, and consistent with, the evidence on economic viability across the charging authority's area? (NPPG para: 019, 20, 21)	<p>The proposed CIL rates in the DCS have been informed by evidence of economic viability evidence prepared by DTZ/Cushman and Wakefield. This includes the following :</p> <ul style="list-style-type: none"> <li>• Bradford CIL Viability Evidence (June 2015)</li> <li>• Bradford CIL Viability Evidence Addendum (December 2015)</li> </ul> <p>The economic viability evidence that underpins the proposed rates shows the potential effects of the proposed rates on the economic viability of development across the district. This evidence has been used to justify what level of CIL could be charged in the District.</p>
5. Are the rates so complex, or based on strategic sites, where in addition to the area based broad test of viability some further site sampling of viability is required? And has this sampling been undertaken? (NPPG para: 022, 23)	Differential CIL rates have been set on the basis of location and type of development, informed by the appropriate available evidence of development viability across the District. This is set out in the CIL Draft Charging Schedule which includes a schedule of rates and map of charging zones.

	<p>The proposed residential rates have been set in relation to four broad geographical zones reflecting average house prices mapped against postcode areas across the District. In defining these zones the council has considered the need to avoid undue complexity.</p> <p>The viability evidence (CIL Economic Viability Assessment Evidence 2015, CIL Viability Addendum 2015) assesses a range of development types throughout the District. This includes detailed analysis of a sample of 'real world' development sites from the various locations across the District. It is considered that the viability evidence is appropriate and robust to inform differential residential rates across the District.</p>
<p>6. Has the charging authority provided evidence that shows, and explains, that the proposed rate (or rates) would not threaten delivery of the relevant Plan as a whole (para 2.2 &amp; para 2.2.5.5.) and have they explained how their proposed levy rate/s will contribute to the implementation of their plan and support development across their area? (para 2.2.2.3) (NPPG para: 017,018, 020 )</p>	<p>The council as a CIL charging authority considers that it has set rates which will not threaten the ability to develop viably the sites and scale of development identified in the Local Plan, as demonstrated in the economic viability evidence prepared by DTZ/Cushman and Wakefield on behalf of the Council.</p> <p>The council has used appropriate and available evidence to prepare its CIL DCS alongside the emerging Local Plan Core Strategy. This includes a detailed assessment of infrastructure needs as well as an assessment of proposed CIL rates on the economic viability of development across the District.</p> <p>The economic viability evidence (CIL Economic Viability Assessment Evidence 2015, Viability Addendum 2015) has been used to justify what level of CIL could be charged in the Bradford District without deterring development. The viability evidence assesses the ability of a range of development types throughout the District to yield contributions to infrastructure requirements through CIL. The sites tested are considered to reflect the main typologies expected to be delivered in the District, in the short to medium term, as informed by the Draft Core Strategy.</p> <p>Levels of CIL have been tested in combination with the council's other planning policies as set out in the Draft Core Strategy and planning</p>

	<p>obligation requirements, including the provision of affordable housing, and other site specific matters that would continue to be required to make development acceptable in planning terms. This is in addition to an allowance for site abnormalities and contingencies.</p> <p>The proposed rates have taken into account the requirements to achieve other policy and planning obligations as set out in the emerging Local Plan. A buffer has also been applied to the maximum rates that have been shown to be viable.</p> <p>The council have prepared a Local Infrastructure Plan (LIP) to provide an infrastructure capacity assessment for the District. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL. This has been used to provide evidence of an aggregate funding gap. It has also been used to inform the Draft Regulation 123 list and the proposals for the continued use of planning obligations. The infrastructure evidence in the LIP and the Draft Regulation 123 list demonstrate how the levy will contribute towards the implementation of the Local Plan by providing funding towards projects with an identified shortfall.</p>
<p>7. Has the charging authority provided evidence that shows that they have struck the appropriate balance between desirability of funding infrastructure through a CIL and the potential effects of imposing a CIL on their area? (Summary of Reg. 14 (1), para 2.2) (NPPG para: 020 )</p>	<p>The council has undertaken the following supporting evidence to inform the proposed CIL DCS:</p> <ul style="list-style-type: none"> <li>• Local Infrastructure Plan (December 2015 Update)</li> <li>• CIL Viability Assessment Evidence ( June 2015)</li> <li>• CIL Viability Evidence Addendum (December 2015)</li> </ul> <p>The available evidence has been used to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact upon the economic viability of development in the District. The council have summarised the evidence informing the DCS in the CIL DCS Background Paper (2016)</p>
<p>8. Does the authority have an up to date relevant (development) plan? And is the CIL consistent with it and the supporting infrastructure evidence? (para 2.2.1)? (NPPG para: 017, 018 )</p>	<p>The Local Plan Core Strategy is currently at Examination in Public and is considered to be a relevant development plan as it is based on robust and up to-date evidence and has been prepared in accordance with the National Planning Policy Framework.</p>

	<p>The council has used appropriate and available evidence to prepare its CIL DCS alongside the emerging Local Plan Core Strategy. This includes a detailed assessment of infrastructure needs as well as an assessment of proposed CIL rates on the economic viability of development across the District.</p> <p>The council have prepared a Local Infrastructure Plan (LIP) to provide an infrastructure capacity assessment for the District. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL. This has been used to provide evidence of an aggregate funding gap. It has also been used to inform the Draft Regulation 123 list and the proposals for the continued use of planning obligations. The infrastructure evidence in the LIP and the Draft Regulation 123 list demonstrate how the levy will contribute towards the implementation of the Local Plan by providing funding towards projects with an identified shortfall.</p> <p>Levels of CIL have been tested in combination with the council's planning policies as set out in the Draft Core Strategy and planning obligation requirements, including the provision of affordable housing.</p>
<p>9. Has the charging authority provided a draft Regulation 123 list, set out known site specific matters where s106 contributions will be sought, and provided evidence to show how much they have raised through S106 agreements in recent years? (NPPG para: 094 to 100 )</p>	<p>The council has provided a Draft Regulation 124 List. This was published alongside the Draft Charging Schedule. This includes a statement on the continued use of Section 106 Obligations.</p> <p>The CIL Viability Assessment and Addendum include an allowance of £1000 per unit for on-site S106.</p> <p>Detailed evidence has been submitted on S106 monies collected as part of the CIL submission documents.</p>
<p>10. Has the charging authority complied with the consultation and administration requirements set out in the Regulations? (NPPG para 013, 29 to 32)</p>	<p>The council considers that it has complied with the CIL consultation and administration requirements. The council published and consulted on a Preliminary Draft Charging Schedule (PDCS) and Draft Charging Schedule (DCS) in accordance with the Regulations.</p>

	<p>In preparing the CIL the council has considered and taken into account all representation received on the PDCS and DCS.</p> <p>Full details of the consultation undertaken, including a summary and responses to representations received are set out in the Statement of Pre-Submission Consultation and Summary of Representations (2015) and CIL: Draft Charging Schedule Statement of Consultation and Summary of Representations (2016).</p>
<b>Questions to ask yourself when setting your CIL rates that will help you in examination</b>	
<p>11. Are you a two-tier authority? (guidance 2.2.1.2) If yes, have you:</p> <ul style="list-style-type: none"> <li>• consulted with the county council?</li> <li>• collaborated with the county on setting the rate?</li> </ul>	<p>The council is not a two tier authority.</p>
<p>12. Have you engaged (at an early stage) with local developers and others in the property industry? Have you documented your engagement and any amendments you have made following engagement? (NPPG paras: 020, 021)</p>	<p>The council has engaged with a range of stakeholders including agents, developers and house builders throughout the preparation of the CIL. Details of engagement in relation to CIL viability testing are set out in paragraph 3.2.5 of the Bradford CIL Viability Evidence (June 2015).</p> <p>The council have published and consulted on a CIL Preliminary Draft Charging Schedule (PDCS) and Draft Charging Schedule (DCS). In preparing the CIL the council has considered and taken into account all representation received on the PDCS and DCS.</p> <p>Full details of the consultation undertaken, including a summary and responses to representations received are set out in the Statement of Pre-Submission Consultation and Summary of Representations (2015) and CIL: Draft Charging Schedule Statement of Consultation and Summary of Representations (2016)</p>
<p>13. Is your charging schedule consistent with, and does it support the implementation of, up-to-date relevant plans? Can you explain how it will achieve that? Can you tell the story of your charging schedule and delivery of your plan? (para 2.2.1) – (NPPG paras 011, 012, 019)</p>	<p>The Local Plan Core Strategy is currently at Examination in Public and is considered to be a relevant development plan as it is based on robust and up to-date evidence and has been prepared in accordance with the National Planning Policy Framework.</p> <p>The council has used appropriate and available evidence to prepare its</p>



	<p>CIL DCS alongside the emerging Local Plan Core Strategy. This includes a detailed assessment of infrastructure needs as well as an assessment of proposed CIL rates on the economic viability of development across the District.</p> <p>Levels of CIL have been tested in combination with the council's planning policies as set out in the Draft Core Strategy and planning obligation requirements, including the provision of affordable housing.</p> <p>The council have prepared a Local Infrastructure Plan (LIP) to provide an infrastructure capacity assessment for the District. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL. This has been used to provide evidence of an aggregate funding gap. It has also been used to inform the Draft Regulation 123 list and the proposals for the continued use of planning obligations. The infrastructure evidence in the LIP and the Draft Regulation 123 list demonstrate how the levy will contribute towards the implementation of the Local Plan by providing funding towards projects with an identified shortfall.</p>
<b>Infrastructure evidence</b>	
<p>14. In identifying your CIL target, have you considered what additional infrastructure is needed in your area to support development and what other funding sources are available? (para.2.2.2.1) Is your target 'informed' by a selection of infrastructure projects or types (drawn from the Infrastructure planning for the area) which are 'candidates for CIL funding? (NPPG para 017, 018)</p>	<p>The council has prepared a Local Infrastructure Plan (LIP) to provide an infrastructure capacity assessment for the District. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL DCS.</p> <p>The LIP has been used to inform the Draft Regulation 123 list and the proposals for the continued use of planning obligations. The infrastructure evidence in the LIP and the Draft Regulation 123 list demonstrate how the levy will contribute towards the implementation of the Local Plan by providing funding towards projects with an identified shortfall.</p>
<p>15. Is your information on infrastructure need directly related to the infrastructure assessment that underpins your plan? (para 2.2.2.1) (NPPG para 017)</p>	<p>The council has prepared a Local Infrastructure Plan (LIP) to provide an infrastructure capacity assessment for the District. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the emerging Bradford District Local Plan Core Strategy and the CIL DCS.</p>

<p>16. Is your infrastructure evidence, to prove your aggregate funding gap, directly linked to the delivery of your plan? (para 2.2.2.1) (NPPG para 017)</p>	<p>The council has prepared a Local Infrastructure Plan (LIP) to provide an infrastructure capacity assessment for the District. This has been used to provide evidence of an aggregate funding gap. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL DCS.</p>
<p>17. Is your infrastructure evidence, to demonstrate your aggregate gap, directly related to your draft 123 list? (para2.2.2.2 &amp; 2.6.2.1) (NPPG para 017, 018)</p>	<p>The Local Infrastructure Plan (December 2015 Update) has been used provide evidence of an aggregate funding gap and to inform the Draft Regulation 123 list and the proposals for the continued use of planning obligations. The infrastructure evidence in the LIP and the Draft Regulation 123 list demonstrate how the levy will contribute towards the implementation of the Local Plan by providing funding towards projects with an identified shortfall.</p>
<p>18. Is your Infrastructure evidence (if not tested as part of another examination) sufficient in order to demonstrate an aggregate funding gap? (para.2.2.2.2) (NPPG para 017, 018)</p>	<p>The council considers the infrastructure evidence in the Local Infrastructure Plan (December 2015 Update) is sufficient to demonstrate an aggregate funding gap. The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL The LIP is currently being tested through the Core Strategy Examination in Public.</p> <p>Evidence of an infrastructure funding gap is set out in the Local Infrastructure Plan (December 2015 Update) Appendix C. This has been used to provide evidence of an aggregate funding gap that demonstrates the need to levy CIL in the District.</p>
<p><b>Viability evidence</b></p>	
<p>19. Does your evidence show that your rate/s would not threaten delivery of the relevant plan as a whole (NPPF 173, Guidance para 2.2, 2.2.5.5. &amp; 2.6) (NGGP para: 039)</p>	<p>The economic viability evidence that underpins the proposed rates shows the potential effects of the proposed rates on the economic viability of development across the district. This includes:</p> <ul style="list-style-type: none"> <li>• CIL Viability Evidence (June 2015)</li> <li>• CIL Viability Evidence Addendum (December 2015)</li> </ul> <p>This evidence has been used to justify what level of CIL could be charged in the District. The council as a CIL charging authority considers that it has set rates which will not threaten the ability to develop viably the sites and scale of development identified in the Local Plan, as demonstrated in the economic viability evidence prepared by DTZ/Cushman and Wakefield on</p>

	behalf of the Council.
20. Have you summarised your economic viability evidence in a document that shows the potential effects of the proposed levy rate/s on the economic viability of development across your area? (para 2.2.2.3 & 2.2.5.5) (NPPG para 039)	<p>The economic viability evidence that underpins the proposed rates shows the potential effects of the proposed rates on the economic viability of development across the district. This includes:</p> <ul style="list-style-type: none"> <li>• CIL Economic Viability Assessment Evidence 2015</li> <li>• CIL Viability Addendum (2015)</li> </ul> <p>The council have summarised the evidence informing the DCS in the CIL DCS Background Paper (2016).</p>
21. In developing your rate/s and schedule have you worked proactively with developers? (para. 2.2 & 2.6) (NPPG para 020)	<p>The council has engaged with a range of stakeholders including agents, developers and house builders throughout the preparation of the CIL. Details of engagement in relation to CIL viability testing are set out in paragraph 3.2.5 of the CIL Viability Assessment (2015).</p> <p>The council published and consulted on a Preliminary Draft Charging Schedule (PDCS) and Draft Charging Schedule (DCS). In preparing the CIL the council has considered and taken into account all representation received on the PDCS and DCS.</p> <p>Details of the consultation undertaken, including a summary and responses to representations received are set out in the Statement of Pre-Submission Consultation and Summary of Representations (2015) and CIL: Draft Charging Schedule Statement of Consultation and Summary of Representations (2016).</p>
22. What have you previously achieved through s106? (para 2.2.2.3 & 2.6.2.2) (NPPG Paragraph: 018)	Detailed evidence has been submitted on S106 monies collected as part of the CIL submission documents.
<ul style="list-style-type: none"> <li>• Overall per annum – financial and others</li> <li>• Examples of s106 achieved per unit – financial</li> <li>• In relation to your affordable housing and other targets ( 2.2.2.3)</li> </ul>	
23. Have you sampled an appropriate range of types of site that reflect the different types of site in your development plan? (para 2.2.2.4) Have you received assistance from local developers to do this? Remember your rate should be based on appropriate available evidence. (para 2.2.5.5) (NPPG Para: 020)	The viability evidence (CIL Viability Evidence (June 2015), CIL Viability evidence Addendum (December 2015) assesses a range of development types throughout the District. The area wide viability testing analyses a selection of hypothetical development schemes to reflect the wide range of circumstances in which development is anticipated to come forward across Bradford District. This includes both residential and commercial

	<p>developments.</p> <p>The viability evidence includes detailed analysis of a sample of ‘real world’ development sites from the various locations across the District. This is set out in paragraphs 3.2.1, 3.2.2, 3.2.3 of the CIL Economic Viability Assessment Evidence (2015).</p> <p>It is considered that the viability evidence is appropriate and robust to inform differential residential rates across the District. Where possible, “real world” evidence provided by the Council and its developer partners has been used to inform the development appraisal inputs</p>
<p>24. If you are setting differential rates, has your fine grained sampling reflected the different sites in your plan and is it consistent with your plan making viability? (para 2.2.2.4) (NPPG Para: 020)</p>	<p>In accordance with national guidance the CIL Viability Evidence (2015) identified a number of developments across the Bradford District and has undertaken development appraisals on these sites to determine their capacity to withstand CIL. This is set out in Section 6 of the CIL Economic Viability Assessment Evidence (June 2015).</p> <p>The sites tested are considered to reflect the main typologies expected to be delivered in the District, in the short to medium term, as informed by the Draft Core Strategy.</p>
<p>25. Have you got strategic sites in your area? Have you viability tested this strategic site type? (para.2.2.2.4 &amp; 2.2.2.6) (NPPG Para 021)</p>	<p>The council had not published its Allocations Development Plan Document (DPD) and therefore has not tested any strategic sites.</p>
<p>26. If you have set a differential rate by use, which does not need to be tied to the use classes order, or size have you justified this by a comparative assessment of viability? (para.2.2.2.6) (NPPG para 22, 23)</p>	<p>The DCS sets different rates based upon the intended uses of development and for different geographical zones. Different CIL rates are proposed for residential, retail warehouses and large supermarkets over 2000 sq m. A zero rate is proposed for all other development. These rates are set out in the CIL DCS and are supported by the economic viability evidence.</p> <p>The proposed residential rates have been set in relation to geographical zones reflecting average house prices mapped against postcode areas across the District. This is set out in paragraph 4.1.1 and table 7.1 of the CIL Viability Assessment (2015).</p>
<p>27. If you have set a zero rate is this supported by viability evidence? (para.2.2.2.6) (NPPG para 22, 23)</p>	<p>The economic viability evidence that underpins the proposed rates shows the potential effects of the proposed rates on the economic viability of</p>

	<p>development across the district. This includes:</p> <ul style="list-style-type: none"> <li>• CIL Viability Evidence (June 2015)</li> <li>• CIL Viability evidence Addendum (December 2015)</li> </ul> <p>Uses with a zero rate are not considered to be viable based on the appropriate available viability evidence.</p>
<p>28. If you have differential rates are you satisfied with regard to State aid? (paras 2.2.2.6 &amp; 2.7.7): (NPPG para 22, 23)</p>	<p>The council considers that in setting differential CIL rates it has acted in accordance with state aid rules. Proposed CIL rates have been informed by appropriate available viability evidence and have not been set in relation to policy objectives.</p>
<p>29. Have you set out what you intend to fund through section 106 and CIL, and how these will operate together? Have you considered the impact of these in conjunction with other costs (e.g. s278 Highways Act and planning conditions) and demonstrated that they will not threaten viability and the scale of development identified in the development plan?( NPPF 173, guidance 2.6, &amp; 2.6.2.2) (NPPG para 98)</p>	<p>The Local Infrastructure Plan (December 2015 Update) forms part of the evidence base for the Bradford District Local Plan Core Strategy and the CIL. This has also been used to inform the Draft Regulation 123 list and the proposals for the continued use of planning obligations. The infrastructure evidence in the LIP and the Draft Regulation 123 list demonstrate how the levy will contribute towards the implementation of the Local Plan by providing funding towards projects with an identified shortfall.</p> <p>The council has provided a Draft Regulation 123 List. This includes a statement on the continued use of Section 106 Obligations.</p> <p>Levels of CIL have been tested in combination with the council's planning policies as set out in the Draft Core Strategy and planning obligation requirements, including the provision of affordable housing. The CIL Viability Assessment and addendum include an allowance of £1000 per unit for on-site S106.</p>
<p>30. Have you, and your consultant, used the methodology recommended in Viability testing for local plans (Harman Guidance): Advice for planning practitioners? (NPPG para 21)</p>	<p>The CIL Viability Evidence (June 2015) methodology accords with the latest national planning guidance (NPPG) as well as best practice as laid down by the Royal Institute of Chartered Surveyors (RICS) Financial Viability in Planning (2012). This is set out in Section 3 of the CIL Viability Evidence (June 2015)</p>