Haringey Community Infrastructure Levy Partial Review - Statement of Representations made in respect of Draft Charging Schedule

Haringey's Community Infrastructure Levy Draft Charging Schedule was published for 8 weeks from Wednesday 18 December 2019 to Tuesday 11 February 2020 as required by Regulation 17 of the CIL regulations 2010 (as amended). The Draft Charging Schedule and accompanying documents were made available for inspection on the Council website, at the Council's principal office (Haringey Council, River Park House, 225 High Road, Wood Green, N22 8HQ) and at the following libraries:

- Wood Green Library
- Alexandra Park Library
- Coombes Croft Library
- Highgate Library
- Homsey Library
- Marcus Garvey Centre
- Muswell Hill Library
- St Ann's Library
- Stroud Green & Haringey Library

A local advertisement notice was published on Wednesday 18 December 2019 and representations were invited from consultation bodies and other persons and bodies considered appropriate by the Council (i.e. via the Council's Planning Policy database).

14 representations were received, and the key points raised for each are summarised below together with confirmation of whether they requested a right to be heard at examination under the CIL Regulations 2020 (as amended):

No.	Representor	Key points of representations	Requested a right to be heard at Examination
1	Highways England	• Notes that in accordance with DCLG guidance, any development contribution towards strategic road network improvements would be secured via S278 agreements, and not via a CIL Reg123 List or S106	No
2	Environment Agency	• No comments	No
3	Sport England	• Welcomes that health, school and higher education, and other uses would have a 'Nil' rate	No
4	Natural England	• No comments	No
5	Metropolitan Police Service	• Requests changes to Infrastructure Delivery Plan	No
6	CBRE Global Investors	• Raises concerns over the impact of higher CIL residential rate on ability of developers to deliver policy compliant levels of affordable housing	No

		• Notes that an appraisal has not been included of the 50% affordable housing requirement for LSIS and publicly owned land. Requests that this be undertaken. • The Council should carefully consider whether it would be appropriate to include within the CIL charging schedule a specific exemption or lower rate for residential floorspace on LSIS land where viability issues are likely to arise.	
7	Haringey Clinical Commissioning Group	• Supports revised rates • Requests update of Infrastructure Delivery Plan and Planning Obligations SPD • Notes that an Infrastructure Funding Statement should be produced by December 2020	No
8	Canal & River Trust	• Requests an update of the Infrastructure Delivery Plan	No
9	Provewell	• Objects to the introduction of a CIL charge for Warehouse Living of £130 in the eastern part of the Borough • Questions the robustness of the evidence used to support the proposed Warehouse Living Rate and its impact on the viability of Warehouse Living development	Yes
10	Tottenham Hotspur Football Club	• Raises concerns over impact of higher CIL residential rate on the viability of development, particularly for strategic sites, when considering the various requirements for social and community infrastructure in the Tottenham Area Action Plan and the Borough and GLA's strongly expressed requirement for 35% affordable housing with a compliant mix	Yes
11	Starlow Holdings Ltd	• Raises concerns over the impact of higher CIL residential rate on the viability of development, particularly the ability of developers to deliver policy compliant levels of affordable housing	No
12	St James and William	• Concerned about the high rates increases currently proposed for the eastern zone which it is considered would render surplus utility sites unviable and prevent their regeneration. • Considers that specific viability challenges to bring former utility sites forward should be considered as part of the CIL process and that site-specific assessments should be prepared	No
13	Transport for London	• Generally supportive and welcoming of the approach set out • Suggests this process is an opportunity to review the IDP and take into account the Mayor's Transport Strategy	No

14	CPG Feldman	• Raises concerns over the impact of higher CIL residential rate on the viability of development, particularly the ability of developers to deliver policy compliant levels of affordable housing • Questions the robustness of the evidence used to support the proposed Warehouse Living Rate and its impact on the viability of Warehouse Living development • Further analysis must be undertaken to determine the demolition and new build costs of purpose-built schemes	No

No.	Representor	Representation	Council Response
1	Kayley Smith, on behalf of Janice Burges, Area 5 Spatial Planning Manager, Highways England	Thank you for your e-mail of 17 December 2019 inviting Highways England to comment on the above consultation. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Our interest in such strategy documents is specifically focussed on the council's approach to highway and transport matters in relation to regeneration and new development. We are keen to understand how local authorities initially identify and prioritise transport improvements in order to deliver sustainable development. Specifically how local authorities set and implement policy to manage trip demands and ultimately how these might affect the safe and efficient operation of the SRN for which we are responsible. It should be noted that, in accordance with DCLG guidance, any development contributions towards SRN improvements would be secured via S278 agreements, and not via a CIL Reg123 List or S106. The use of S278s will enable multiple sites to contribute if appropriate, and also secures the Secretary of State's position by ensurinQ that 100% of contributions QO towards the	Comments regarding the securing of SRN improvements via S278 agreements rather than CIL or s106 are noted.

		SRN improvement. However, in some cases it could be more expedient for Highways England to be party to the S106 and secure mitigation through obligations. I trust that the above comments are of assistance to you and look forward to any future consultations. Thank you aqain for involvinq us in your consultation process.	
2	Tom Craig, Planning Advisory, Environmental Agency	Thank you for consulting us on the CIL Draft Charging Schedule. We have no comments on the review of the rates. We would be grateful if you could consult us on any future consultation on the spending of the CIL where we would have comments. For information I have attached our previous response to the CIL consultation.	No issues to address
3	Mark Furnish, Planning Manager, Sports England	Thank you for consulting Sport England on the Draft Charging Schedule. Sport England welcomes that health, school and higher education and other uses would have a 'Nil' rate therefore new sport and recreation facilities would not have to pay the levy. As a result, CIL would not have a detrimental impact on the delivery of such facilities and the ability for the Council to achieve its health aspirations.	No issues to address
4	Sharon Jenkins, Operations Delivery Consultations Team, Natural England	Thank you for your consultation request on the above Strategic Planning Consultation, dated 18th December, 2019. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England have no comments to make on this consultation.	No issues to address
5	Vincent Gabbe, Director, Lambert Smith Hampton on behalf of the Metropolitan Police Service	Lambert Smith Hampton (LSH) has been instructed by the Metropolitan Police Service (MPS) to make representations to the above consultation. This representation concerns the MPS facilities at Wood Green Custody Centre and Quicksilver Patrol Base; we have noticed that the existing clauses under 'Emergency Services' in the Haringey Infrastructure Delivery Plan (IDP) are incorrect and need to be deleted. This representation also includes the requirement for 'Dedicated Ward Offices' (DWO) accommodation as part of the MPS estates strateqy and the MPS' breakdown of infrastructure	The Infrastructure Delivery Plan (IDP) dates to 2016 and is considered to be reasonably up to date. As such, in accordance with national guidance, it is not deemed necessary to re-do or update the infrastructure evidence in support of CIL,

		sought through Section 106 agreements. We explain the requirement for DWOs (out-reach facilities) in more detail below. **Haringey Infrastructure Delivery Plan: site reference to police facilities** We request that the following clauses are deleted from the Haringey IDP; 12.2 : *London Mayor's recent announcements (2012) for emergency service provision in London mean that there may be changes to the police services in the borough including the potential reduction in services from Tottenham Police Station.* 12.3 : *The Metropolitan Police considers the existing patrol facilities in Western Road N22 to be inadequate, and expensive to maintain. The facility has a temporary planning permission until 2014. The site is within the Haringey Heartlands growth area, and the Council will be keen to* see *that the land is used efficiently.* 12.4 : *Although the draft Assets Plan by the Metropolitan Police (2007) indicated that the Patrol base will be considered as part of the proposed development of the Wood Green Custody Centre, this is no longer the* case. *Planning permission for the new police custody centre in Wood Green (without the patrol base) was granted in 2011, and the construction work has already started.* **Requirement for Dedicated Ward Offices** / **out** - **reach facilities** A DWO is a 24/7 base of operation for officers of the MPS. It is not a public facing office, but rather a location typically used by officers at the beginning and the end of their shifts which can be situated in a 'back of house location'. The MPS would pay a 'peppercorn' rent for the space in addition to service charges. The MPS currently police over 600 wards across Greater London, DWOs are integral to these efforts. The MPS requires 24/7 access to all DWOs for operational purposes. The attached document prepared by Knight Frank highlights the DWO requirement in more detail. The MPS is requesting that the Haringey draft IDP includes a section which highlights the importance of the delivery of DWOs in schemes referable to the Mayor. The MPS is already having success in securing DWOs with developers (through planning applications) and Local Planning Authorities (through planning policy). In many cases, Local Authorities and developers consider the requirement to have a positive impact on development proposals. We would be grateful if Lambert Smith Hampton (as the planning consultants for the MPS) is notified of major developments within the London Borough of Haringey where the incorporation of a DWO is considered to be appropriate. The MPS are now more focused on the delivery of DWO accommodation rather than seeking contributions through S106 (which is more of a longer term objective). **Other S106 contributions**	which was tested at examination and found to be sound. The Council will engage with the Metropolitan Police Service later this year as part of the preparation of a New Local Plan and in relation to a planned future update of the IDP. We have passed on to the relevant planning officers, the representor's wish to be notified of major developments within the London Borough of Haringey where the incorporation of a DWO is considered to be appropriate.

		We are pleased to see that the Haringey Local Plan references 'policing facilities' as planning obligations that the Council will prioritize. However, we request that the Haringey IDP includes a breakdown of infrastructure sought by the MPS through Section 106 agreements. The MPS are not seeking financial contributions at present as a methodology has not yet been agreed for calculating financial contributions; however this is something the MPS are hoping to introduce. A breakdown of non-building related infrastructure likely to be sought by the MPS (through future S106 requests) is as follows: • **Staff set up costs** - Uniforms. - Radios. - Workstation/Office equipment. - Training. • **Vehicles** - Patrol vehicles. - Police community support officers (PCSO) vehicles. - Bicycles. • **Mobile IT:** The provision of mobile IT capacity to enable officers to undertake tasks whilst out of the office in order to maintain a visible presence. • **CCTV technologies:** Automatic Number Plate Recognition (ANPR) cameras to detect crime related vehicle movements. • **Police National Database (PND):** Telephony, licenses, IT, monitoring and the expansion of capacity to cater for additional calls. **Consultations with MPS** We request that Haringey Council acknowledges within the draft IDP that on schemes referable to the Mayor, the MPS will be consulted as a consultee with regards to the potential onsite delivery of a DWO facility. Requests should be sent to mps@lsh.co.uk. **Summary** We request that Haringey Council removes clauses 12.2, 12.3 and 12.4 from the IDP. We also request that the IDP includes a section highlighting the importance of the delivery of DWOs within areas in the borough that require additional coverage. We can provide 'DWO text' (to be incorporated within the IDP) on request. We are pleased to see that Haringey Council will prioritize policing facilities for planning obligations, however request that the Council includes the full breakdown of infrastructure sought	

		by the MPS in the IDP. Finally, we request that the MPS are consulted for the delivery of a DWO on schemes referable to the Mayor. We consider that it would be sensible to arrange a meeting to discuss how the MPS property requirement for a DWO can be accounted for within the borough. We will look forward to hearing from you when you have had a chance to review the contents of this representation.	
6	John Culter, Strutt & Parker on behalf of CBRE Global Investors	We write to submit representations on behalf of CBRE Global Investors (CBREGI) responding to the Council's partial review draft Community Infrastructure Levy (CIL) consultation. To summarise, CBREGI supports the Council's intention to review its CIL charging schedule, and welcomes the opportunity to constructively comment on the proposed revised charges. The intention of these representations are to highlight the opportunities for redevelopment of the Rangemoor Industrial Estate (RIE) to deliver a new high quality mixed use development, and highlight some issues in respect of the proposed new CIL charges. **Land Ownership** CBREGI is a real estate investment management firm which manages significant parts of the RIE on behalf of Shell Pensions Trust. An ownership plan of the RIE is included at Appendix 1 of this letter. This shows the land managed by CBREGI on behalf of landowners Shell Pensions Trust together with land owned by London Borough of Haringey (LBH) and other smaller land parcels in separate ownership. The CBREGI buildings are situated on three sites along Rangemoor Road, Norman Road and Bernard Road. **Potential Mixed Use Redevelopment of Rangemoor Industrial Estate** The RIE represents a key opportunity in the borough for new mixed use development, including the removal of dated industrial units to enable the re-provision of high-quality industrial floorspace, supported by residential dwellings, potentially with social infrastructure or other land uses. It is in a sustainable location for residential development, positioned within close proximity to a range of local shops and services. It has a PTAL of 6a, located within easy walking distance of Seven Sisters underground station, Seven Sisters overground station, South Tottenham Railway Station overground station and Tottenham Hale overground and underground station, as well as being well served by bus routes. Most of the land within the RIE is located in a Locally Strategic Industrial Site (LSIS), where draft London Plan Policy E7(B) indicates that development plans should be proactive and consider whether logistics, industrial and related functions could be intensified to provide additional industrial capacity, including to support the delivery of residential and other uses, such as social infrastructure. As required by Part E of the policy this should be considered as part of a plan-led process. In this respect, CBREGI has held initial positive discussions with LBH over the potential	The Council acknowledges the representation's comments that no appraisal was carried out in respect of 50% affordable housing. BNPPRE has now run the appraisals allowing for 50% affordable housing as set out in Policy H4 of the London Plan 2021. Although the results indicate that viability of residential development at 50% is challenging, it is viable in some scenarios. Where a scheme is shown as unviable before the application of CIL, it will be other factors such as sales values and build costs that will need to adjust for the scheme to become viable. That is to say that where a scheme is unviable the imposition of CIL at a zero level will not make the scheme viable. The representor's statement that the application of affordable housing policy requirements allows for flexibility if justified by robust viability evidence is in line with the Council's current adopted planning policy.

		to work together within the planning policy-led process to bring forward mixed use proposals for the RIE. The benefits of such development is clear. The CBREGI and LBH land together comprise almost 2 hectares of land. Together with the other land parcels, this represents a unique opportunity to both improve the industrial offering in the borough and also deliver a significant level of new homes in a range of tenures, within a comprehensive redevelopment. It will also complement the other mixed use developments to the east of the RIE which incorporate residential and industrial uses, including at Bernard Works (LPA ref: HGY/2017/3584) and 19 Bernard Road (HGY/2019/1490) which are either approved or with a resolution for approval. **Comments on Proposed Community Infrastructure Levy Rates** The objective of these representations is not to dismiss the Council's intention to ensure sufficient infrastructure is provided to facilitate new development, but to ensure that the emerging regime will deliver the infrastructure required to support the growth of the borough in a manner that would not undermine other aspirations, notably the delivery of affordable housing. The following observations are made in order to put down a marker to ensure that as this process proceeds towards examination, and ultimately adoption, the CIL is reasonable, meets Council aspirations, and would not place unrealistic financial burdens on developers and landowners that would potentially render developments unviable. In particular regard is had to Regulation 14 of the Community Infrastructure Regulations. The proposed new charge will likely be in place at least until at least the remainder of the plan period and so should be resilient to respond to new strategic sites coming through in planning policy, such as those coming forward through area specific Supplementary Planning Documents (SPDs) or Area Action Plans (MPs). Such an approach may well be utilised for the redevelopment of the RIE, in accordance with London Plan requirements. The RIE currently lies within the eastern area as set out in the Council's adopted 2016 CIL charging schedule, which for residential development sets out a charge of £15 per sqm. The Annual CIL Rate Summary for 2020 indicates that, taking into account indexation, this would equate to £20.96 in 2020. Within the proposed partial review of the CIL, the RIE would be located within the eastern area, where the charge would increase to £50 per sqm for residential floorspace. This represents an increase of 139% over existing rates taking account of indexation, which is clearly a very significant increase. This is also in the context that mayoral CIL has risen in this location from the rate of £30 per sqm when first introduced in 2012 to £60 per sqm in April 2019. Any CIL charges are non-negotiable, and so as a result, any subsequent impacts on scheme viability would necessarily result in reduced levels of planning obligations, and notably affordable housing. This is particularly salient for sites such as RIE where residential redevelopment would	This position is demonstrated by schemes coming forward with affordable housing levels below the strategic target levels, which have been through robust site-specific viability reviews prior to permission. The Council confirms that Mayoral CIL 2 (MCIL2) has been accounted for in the viability testing. We note that the MCIL1 rate for LB Haringey was £35 per sq m and not £30 per sq m. Notwithstanding this, as with Borough CIL Mayoral CIL is index linked and in this regard the increase in the CIL Charge from MCIL1 to MCIL2 taking into account for appropriate indexation was £7.22 per sq m (i.e. the difference between £59.64 per sq m and £52.42 per sq m). The Council accepts that the simple analysis of the percentage increase in the charge of 139% is methodologically correct. However, percentages of rate increases in themselves can be misleading as the increase is expressed by reference to the starting point charge, and provides no information as to the likely impact on development of the revised charge. For example

		be expected to provide 50% affordable housing in accordance with the draft London Plan, at a 60/40% social/intermediate housing tenure split. In this context, our analysis has already indicated that delivery of a mixed use development of RIE when taking a policy compliant level of affordable housing may not be viable based on existing CIL charging schedule. It is noted within the Viability Assessment that the proposed CIL rates take account of some variance in affordable housing requirements in different scenarios, however the highest rate of affordable housing contribution which has been factored into the viability assessment is 40%. No appraisal has been carried out in respect of 50% affordable housing, which would be a requirement in some scenarios such as the development of LSIS land and publically owned land as set out in the draft London Plan (the only way in which a lower level of provision would be acceptable in such instances is if robust viability evidence justifies this). This implies acceptance of a flexible approach to application of affordable housing policy requirements, and potentially infers that the 50% affordable housing requirement would not be viable. As such, we specifically ask the Council to test this scenario as it appears that it has not to date. We also propose that the Council carefully consider whether it would be appropriate to include within the CIL charging schedule a specific exemption or lower rate for residential floorspace on LSIS land such as RIE where these viability issues are likely to arise. The Council should consider carefully the levels of infrastructure contributions which are actually needed to fund new local infrastructure. Simply charging the highest levels which it believes is possible could render schemes unviable, and in such instances affordable housing provision may well be reduced. We consider that this would run contrary to the Council's aspirations for the delivery of new homes in the borough and specifically affordable homes, as well as the comprehensive high-quality replacement of industrial floorspace. In respect of the RIE specifically, the proposed CIL level may have limited benefit for new infrastructure in the Seven Sisters locality, given that this area (with a PTAL of 6a) is already very well served by transport and other infrastructure. **Conclusions** In principle CBREGI supports CIL as a means of ensuring that infrastructure is provided to support new developments, however we have concerns that the proposed level may result in reduced affordable housing contributions, and potentially discourage the redevelopment of sites, particularly LSIS land such as RIE which could bring numerous benefits. We also have concerns that the Council has not tested a 50% affordable housing requirement which would be applicable in cases of residential development of LSIS land such as RIE, in accordance with the new London Plan. Therefore, we ask that the Council considers whether it would be appropriate to set a lower rate for residential development on LSIS land within the borough. I trust that the above provides informative comments to the current consultation.	if a rate of say £10 per sq m were to be increased by 50% this would take the charge up to £15 per sq ft. An increase of 50% appears to be significant, however this in fact only represents a £5 per sq m increase. More particularly however, the percentage uplift does not identify the impact on development viability of such a charge. The important issue to consider is the amount of the actual charge being proposed and the impact of this on residual land value of developments. To this end the Council would highlight that the £50 per sq m proposed residential charge amounts to between 1% and 1.6% of development costs. However, the proposed charge reflects an increase of £29.04 per sq m (i.e. the difference between the indexed rate of £20.96 per sq m and the proposed rate at £50). This equates to an increase of circa 0.5% of development costs. In light of this, the rate is set at a nominal level, and consequently it will not be a critical determinant in the viability of developments.

		I would be grateful if you could please confirm safe receipt of these representation and for above comments to be considered before the submission of the partial review draft CIL charging schedule. Please do not hesitate to contact me should you wish to discuss any of the above further.	The Council and BNPPRE note that developers frequently build in allowances for 5% contingency of build costs. Furthermore, developers are typically able to absorb build cost inflation running at around 2.5% annually, in comparison to a one-off CIL charge typically at a lower percentage. BNPPRE has undertaken further analysis of the proposed CIL charge and have identified that the proposed £50 per sq m charge as a whole equates to between 1.25% and 0.7% of affordable housing costs, with an average of 0.91%. The Council notes the representor's suggestion for a specific exemption or lower rate for residential floorspace on LSIS land. The Council does not agree and considers that retaining the proposed rate in the DCS and acknowledging the flexibility provided for in policy strikes the appropriate balance between securing sufficient revenue to fund necessary infrastructure and achieving the Council's affordable housing policy as required by Regulation 14 of the CIL Regulations.

7	Malcolm Souch, NHS London Healthy Urban Development Unit on behalf of Haringey Clinical Commissioning Group	**Haringey Community Infrastructure Levy Partial Review: Consultation on Draft Charging Schedule and associated documents** Thank you for the opportunity to comment on the above consultation. This response is submitted on behalf of NHS Haringey Clinical Commissioning Group. We note that the consultation is a partial review of the CIL Charging Schedule and relates to increased CIL rates in the Eastern Charging Zone for residential use and student accommodation. New rates are also introduced for new forms of housing - Build to Rent housing and Warehouse Living. We support the increased CIL rates in the Eastern part of the borough which will help capture more CIL receipts from development to support necessary infrastructure. The draft charging schedule does not refer to the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 which came into force on 1 September 2019. The amended regulations make changes to how CIL is charged, collected and reported and seek to clarify the relationship between CIL and s106 contributions. Crucially, the removal of CIL Regulation 123 lifts the s106 pooling restriction and allows planning authorities to use CIL and section 106 obligations to contribute towards the same piece of infrastructure. Updated national planning guidance clearly distinguishes between the purpose of s106 obligations to mitigate site-specific impacts, subject to the tests in Regulation 122, and CIL which can be used to address the cumulative impact of infrastructure in an area. In practice, the use of s106 obligations to mitigate site-specific impacts will tend to apply to larger developments which generate a critical mass of demand for new or improved infrastructure, where there is insufficient existing capacity to accommodate the additional demand. Whilst this a partial review of the CIL Charging Schedule we would strongly encourage the Council to review its overall approach to developer contributions. This would require an update to the Planning Obligations Supplementary Planning Document (SPD) to acknowledge that s106 health contributions, both financial and in-kind, could be secured to address a site-specific impact. At present, section 13 'Social and Community Infrastructure' of the adopted SPD (March 2018) has restricted developer contributions towards new and improved healthcare infrastructure. Paragraph 13.6 states the Council's preference is for in kind facilities provided on-site as part of a development and secured by planning condition. This effectively rules out s106 financial contributions to deliver new and improved health facilities. Furthermore, a new facility secured by planning condition is not a planning obligation. Paragraph 13.7 suggests that the Council or service provider (eg NHS) should compensate a developer for providing an in-kind facility which would to serve the wider community. This is unreasonable. We consider that a new health facility provided as shell and core at a market rent is	The Council acknowledges the impact of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 in removing the requirement for a 123 list and the Section 106 pooling restrictions. The request for a review of the Council's approach to developer contributions is noted, though it is not within the scope of this consultation. The IDP dates to 2016 and is considered to be reasonably up to date. As such and according to government guidance it is not deemed necessary to re-do or update the infrastructure evidence in support of CIL, which was tested at examination and found to be sound as part of the Local Plan. An update to the IDP will take place in support of the Council's emerging New Local Plan. The Council will engage with those groups that made representations on this matter, as appropriate, as part of this proposed IDP update which will begin later this year. A New Local Plan First Steps consultation document was consulted on from November

		a commercial arrangement and not a planning obligation. Therefore, for a large facility the NHS would effectively be paying twice through market rent and compensation to the developer. Haringey's Authority Monitoring Report 2018-19 (January 2020) confirms that no s106 developer contributions have been secured towards health infrastructure in the borough since 2011. This is largely due to the introduction of the Haringey CIL in 2014 and the expectation that health and wellbeing facilities would be funded by CIL as indicated on the CIL Regulation 123 List. Consequently, the Council has not sought s106 contributions for health facilities. Furthermore, no CIL receipts have been allocated towards health and wellbeing facilities. Developer contributions towards healthcare infrastructure are vital to mitigate the impact of development on healthcare services and to address a funding gap. Haringey's Local Plan Strategic Policies expects development that increases the demand for community facilities and services to make appropriate contributions towards providing new facilities or improving existing facilities (Policy SP16), and the Council will prioritise its needs including community facilities and services including education, health and open space and policing facilities (Policy SP17). At present, these policies are not being implemented due the restrictive approach in the Planning Obligations SPD. The draft charging schedule is supported by an Infrastructure Delivery Plan Update. The update is dated April 2016 and the healthcare section requires updating with further commentary on NHS strategies, new models of care, estate priorities and funding constraints. We note that there are no cost figures for health in Table 6: Summary of Infrastructure Investment Estimates 2013/14-2026/27. The section on Growth Area Infrastructure requires updating to reflect the challenges and progress in delivering new infrastructure in Tottenham Hale, Wood Green, Green Lanes and north Tottenham. We would welcome the opportunity to update the infrastructure delivery plan to identify current healthcare infrastructure requirements, funding sources and gaps and delivery models. We note that the Council is required to publish an infrastructure funding statement by 31 December 2020 identifying the infrastructure required to support development in an area and how it will be funded, using CIL, or s106 obligations, or a combination of both. North London CCGs are developing guidance on the use of developer contributions for healthcare infrastructure, establishing consistent principles and sharing good practice across north London and beyond. The CCG would welcome the Council's input into the guidance and initially would like to meet to discuss the issues and a way forward.	2020 to February 2021 and similar consultation feedback on infrastructure needs will be progressed through the next stages of the New Local Plan.
8	Claire McLean, Area Planner, Canal & River Trust	Thank you for consulting the Canal & River Trust on the draft Charging Schedule. I can confirm that we have no comments to make on the Charging Schedule itself, but would like to make a comment about the Infrastructure Delivery Plan. We note that this was last updated in 2016 and some elements are out of date. The Trust would be very pleased to work with LB Haringey to	No issues to address

		identify and scope out appropriate towpath and access improvements around the Lee Navigation, and subsequent funding mechanisms, which would help support the use of the Lee Navigation and its towpath for active travel, as sustainable transport infrastructure, and an important local leisure asset. We would likely put forward towpath and access improvements to support the Cycleways network, and the wider cycling and walking network generally, to serve the increase in demand due to development, and support access to green and blue space.	
9	Jennifer Ross, Tibbalds Planning and Urban Design on behalf of Provewell	On behalf of our clients, Provewell we submit representations to the following consultation documents: • Haringey CIL draft Charging Schedule November 2019 • CIL- Eastern Haringey Viability Update Study prepared by BNP Paribas October 2019 Our particular objection relates to the introduction of a CIL charge for Warehouse Living of £130 in the eastern part of the Borough and the inadequacy of the evidence base used to support and justify this CIL rate. Planning guidance requires that a charging authority must use 'appropriate available evidence' to inform the preparation of their charging schedule. The guidance confirms that a charging authority should draw on existing data wherever it is available; Land registry transactions, real estate market reports, real estate research, estate agents websites etc. In addition the advice suggests that a charging authority should 'directly sample an appropriate range of types of sites across its area, in line with planning practice guidance on viability'. The guidance encourages charging authorities deciding to set differential rates to undertake more fine-grained sampling to help them estimate the boundaries of differential rates. It confirms that the collection of background data should together provide 'a robust evidence base' about the potential effects of the rates proposed, 'balanced against the need to avoid excessive detail'. It also requires development costs to be taken into account when setting the levy rates and confirms that: '... a realistic understanding of costs is essential to the proper assessment of viability in the area'. In the context of the above guidance Haringey Council has relied on the viability evidence produced by BNP Paribas. Having reviewed this evidence it is clear to my clients that BNP Paribas do not understand Warehouse Living, how it is evolving and developing as a use and how it operates. In addition and based on the content of their appraisal it is clear that they do not understand the site specific issues involved in bringing forward new Warehouse Living Developments. Further no effort has been made to contact the landowning parties involved in the various emerging Warehouse Living sites situated in the east of the	The Council notes the concerns raised by the representer regarding the CIL charge for warehouse living. The Council has since engaged with Provewell's representatives to better understand the concerns raised and supplement the existing evidence base. BNPPRE and the Council would highlight that at the time of production of the evidence base, all Warehouse Living schemes delivered in the Borough had been based on former warehouses being refurbished and converted to residential uses. To this end BNPPRE's assessment of viability of such uses was based on a refurbishment development scenario. It has only been since the evidence for the DCS was prepared that a redevelopment scenario for Warehouse Living has started to be pursued in the Borough including by Provewell, and the Council is in the early stages of pre-application

		Borough and hence there is no 'fine grained' understanding of the specific issues facing the various sites. As a result of the above the Council do not - in our view- have the 'robust evidence' required to support the CIL charge for Warehouse Living advanced in respect of the draft CIL charging schedule, nor can there be any understanding of the implications of the imposition of this CIL charge on the viability and hence sustainability of new emerging Warehouse Living schemes that will be being brought forward on our client's sites in the near future. Our client, Provewell owns two sites in the eastern part of the CIL area, Overbury and Eade Roads and Arena Design Centre. These two sites comprise a number of existing warehouse buildings, which were originally used for a variety of industrial purposes. These industrial uses have over the years become occupied by a form of communal living and working, which has become known as 'Warehouse Living'. Local Plan policy recognises that 'Warehouse Living', whilst being established in an incremental and largely unauthorised manner, now plays an important role in the Borough in terms of providing affordable living and working accommodation for young people and supporting and encouraging the growth of creative industries and SME businesses. The majority of the space on each of the two sites has now become converted to Warehouse Living and the vast majority are in residential (Class C3)/ HMO use. A third of the space is still within commercial use. All of the former industrial space that is utilised in the Warehouse District has involved conversion of existing buildings, no new floorspace has been constructed and under the CIL regulations would not have been CIL liable. Analysis of the individual spaces that have been created within the existing warehouses shows a diverse range of uses and functions - bed spaces, workspaces, communal space, shared kitchen spaces, storage space. The way in which people occupy this space is also very diverse. Some live and work within the space, some just work and some live. Analysis of existing occupancy in the Warehouse District, however reveals that the available space for each person, including both private bedroom space and the range of communal internal and external spaces typically exceeds the equivalent space that would be available in flat-share in a standard London Plan house or flat i.e. 20.7m2 (warehouse living) vs 17.5 m2 (two bedroom apartment). The position within the warehouse district is developing and evolving. Some of the existing buildings are coming to the end of their life and need to be replaced. Policy, however, recognises the important role warehouse living plays in terms of supporting a young creative community and in providing affordable living and working accommodation and actively encourages owners to work with the Council to prepare masterplans for the future development of designated Warehouse District sites. Given this context Provewell is currently working with officers to produce a	discussions on a number of proposals including with the representer. To this end there is no existing evidence of new build Warehouse Living schemes and the Council is working with stakeholders to determine what a suitable new build Warehouse Living scheme could look like to be in accordance with planning policy. The Council has been presented with various arguments that the delivery of new build Warehouse Living schemes is challenging in viability terms. The Council considers that some of these arguments have merit and acknowledges that the proposed rate for Warehouse Living in the Council's DCS, which was modelled on refurbished Warehouse Living schemes is not representative of the viability of new build Warehouse Living schemes, which could potentially be very different in their form. The Council therefore agrees that the evidence presented therefore does not provide an appropriate basis upon which to set a charge for such new build schemes. The Council is also not currently in a position to assess the likely viability of such schemes, this would be

		masterplanning framework within which existing older warehouse buildings will - over time- be replaced by new, purpose built warehouse living buildings. In developing the brief for new warehouse buildings the owners have come up with a building typology which combines: dedicated workspace, flexible live/ work space; communal kitchen, dining and living spaces, bed spaces and internal and external communal spaces. In terms of construction costs the new build typology is comparative with new build residential. Rental levels per person are, however, envisaged to remain comparable with the affordable rental figures set out in BNPP viability report and hence will remain a legitimate form of affordable housing for young people. In addition and as part of the masterplanning framework process the owners are looking to invest substantive sums in the public realm and streets and spaces that comprise each site in order to transform the area from a place based traditionally on work to one that will be based around a mixed living and working community. Given the above context - which is not appreciated at all in the BNPP viability work- we would advance the following detailed commentary in relation to the scope and context of the BNPP report and the assumptions made in relation to Warehouse Living: 1. Firstly there is no definition of Warehouse Living (WHL), which accurately defines and describes the use and the way it functions. As a starting point we say WHL is a combination of low-cost communal living accommodation and shared workspace areas. On this basis around 50% of the floorspace should not incur any CIL charge. The effective rate of charge proposed as it applies to the residential element is therefore £260 psf which is clearly entirely out of kilter with other rates of charge. 2. The conflation with student accommodation reflects a deep misunderstanding of WHL. The two are not analogous. Student housing is characterised by small rooms, repeated floor plans and very high levels of internal space efficiency. WHL is loose-fit and, in effect, mixed use. 3. Student housing is management efficient. Low maintenance buildings and a homogeneous occupancy based on academic year lettings. Warehouse living is complex, inter-connected and maintenance heavy. 4. The financial inputs in the BNPP tables and appraisals are fanciful, as follows. • Refurbishment costs are given as £30psf in Appx 9. This is a totally unrealistic assumption for the conversion of industrial/warehousing space into WHL. Based on work undertaken by Provewell in relation to a number of buildings confirms an average refurbishment rate in excess of £150 psf. Such refurbishment normally entails new roof; new window openings; internal sub-divisions; kitchens; bathrooms; all surfaces; fire safety including means of escape; heating installations; bins; bikes and lighting.	premature given the ongoing discussions exploring the form of such developments in the Borough. The Council has also considered the merit of maintaining a charge for refurbished Warehouse Living schemes. The Council recognises that there will be limited if any CIL liable floorspace delivered given the CIL Regulations discount existing floorspace form proposed floorspace. Having regard to the above considerations and policy DM39 in the Development Management DPD, which seeks to secure a long-term sustainable economic future for key Warehouse Living sites, the Council proposes to remove the Warehouse Living charge of £130 per sqm in the DCS before it is submitted for examination. The modification is considered necessary to strike an appropriate balance between the desirability of funding infrastructure through CIL and the potential effects of the imposition of CIL as required by the CIL Regulations. The consequence of the modification is that Warehouse Living schemes would continue to be

		• Similarly, new build at £98.50 is woefully unrealistic. Our current emerging plans for two key sites in the Warehouse District are approaching £300 psf based on a modular build. • Rent assumptions are confused. Bedroom rates are given as £700 per calendar month in the main report but jump to £800 pcm in Appx 9. • Existing use rent for industrial is given as £4 psf. This is also unrealistic. The L&G crusader estate achieves circa £12psf and London industrial property has seen rapid rent rises and yield reductions over the last 2 years. Nor is there any recognition that in many cases the existing use on a number of redevelopment sites in the Warehouse District have established residential use and sui generis (HMO) use. • The yield of 8.5% applied to existing use industrial rents is out of step with market norms. London industrial investment agents report that yield is now unlikely to exceed 5% for rack rented industrial estates within the M25, and frequently drop substantially lower. • The proposed yield of 4.75% for WHL is not backed by any evidence. WHL is not a recognised asset class and, with few exceptions, does not exist beyond Overbury Road and the Arena sites. Build to rent and Student housing are traded in mature markets but WHL is an entirely new product with no institutional backing or involvement whatsoever. Consequently, it cannot be considered to attract such a low yield. Our estimate is that 8% is more realistic but even then, may be optimistic given the absence of market knowledge or demand for such use. In short - and based on the above commentary- we wonder whether BNPP have confused WHL with co-living, which is a very different product. Co-living rents are typically over £1100 per month and sales in this increasingly mature market have been reported at sub 5%. In summary and based on the above commentary we would conclude that the proposed CIL rate for Warehouse Living in the Eastern Area of £130 per sqm advanced under table 1 cannot be substantiated and therefore cannot be taken forward and adopted. We would suggest that in order to come up with a robust figure requires much more in depth research and in this regard, we confirm that our clients would be happy to work with the Council to help develop this evidence base. We confirm that we will be presenting evidence at any future Hearing and to be kept informed of progress.	subject to a nil CIL charge but would still be subject to other S106 planning obligations as necessary.
10	Rebecca Burnhams, Associated	We are writing on behalf of Tottenham Hotspur Football Club ("THFC" or "the Club") in response to the partial review of your CIL Charging Schedule.	The Council notes the concerns raised by the representer regarding the CIL charge for

	Director, Quoad, on behalf of Tottenham Hotspur Football Club	The Club has been based in Tottenham since its formation in 1882 and is a major land holder and developer in the Tottenham area. Its world class stadium, which opened in 2019, and its associated development will act as a catalyst for the ongoing transformation of north Tottenham as a whole. The Club has delivered a number of projects already including: • **The Northumberland Development Project** - comprising the new stadium, the London Academy of Excellence Tottenham, retail, a hotel, 585 residential units, commercial floorspace, serviced apartments, and a community health building. • **Northumberland Terrace** - a masterplan for the restoration of the historic terrace in conjunction with new build office/ workshop space to the rear. • **Percy House (796 High Road)** - renovation of Grade II* Percy House and its conversion into headquarter offices for the Club's charitable Tottenham Hotspur Foundation. • **Berland Court** - development of the Park Tavern public house adjacent to Northumberland Park train station comprising 34 affordable flats and a Jehovah's Witness Kingdom Hall and small Club shop. • **Cannon Road** - the redevelopment of the former Cannon Rubber Factory to provide 222 affordable homes and new buildings for Brook House Primary School. • **500 White Hart Lane** - 145 new homes (including 29 affordable homes) and associated employment and retail/community floorspace. The affordable housing units were offered directly to Haringey Council in order to rehouse Love Lane Estate residents, rather than via an affordable housing provider. Taken together these schemes amount to more than a £1bn direct investment in Tottenham by the Club. When all complete they will deliver nearly 1,000 new (including affordable) homes and have created thousands of new jobs. These schemes are, however, only the first steps in the Club's commitment to the regeneration of Tottenham. The Goods Yard site within the High Road West masterplan area was granted planning permission in June 2019 for the provision of up to 330 residential units, non-residential floorspace, refurbishment of the locally listed Station Master's House and public and private open space. A planning application for the adjoining site to the north, referred to as 867-879 High Road, is currently under consideration. Once approved, it will also deliver up to 330 units and a new park. The Club is seeking to work positively with the Council throughout the charge setting, and subsequent implementation processes, to ensure that development in Haringey continues to be viable and deliverable. The Club have worked with the Council for many years to ensure that the appropriate infrastructure is in place to support the regeneration of Tottenham and the positive approach the Council has taken in its plan allocations, particularly through the implementation of the High Road	strategic sites and brownfield sites identified in the Local Plan. With regard to site specific assessments, the CIL PPG states that viability assessments should be proportionate. Viability PPG does not require site specific viability assessments, but states that they can be undertaken for sites that are critical to delivering the strategic priorities of the plan, for example, large sites that provide a significant proportion of planned supply or sites that enable or unlock other development sites or sites within priority regeneration areas. The Council notes that three strategic sites in Tottenham Hale have already received full planning permissions several years ago with CIL liability notices issued based on the adopted 2014 CIL rates and are now under construction. While there are several large sites allocated in the Tottenham Area Action Plan which are still to come forward in the east of the borough, these are either not anticipated to come forward in the short or medium term, have had the scale of likely development reduced or are in partial or full Council control.

		West masterplan which will provide a solid basis for delivering new homes, jobs and infrastructure that the area needs. However, the Club are concerned that the proposed CIL charges do not strike the appropriate balance between the need for infrastructure and the viability of development as required by the CIL Guidance. In particular, the Club is concerned that the proposed rates threaten the ability to develop sites that have been identified in the relevant plan, which goes against the CIL guidance ('the Guidance'): *"Charging authorities should set a rate which does not threaten the ability to develop viably* ***the sites*** *and scale of development identified in the relevant plan (the Local Plan in England, Local Development Plan in Wales, and the London Plan in London)."* (25-008-20140612) [emphasis added]. In undertaking its Viability Assessment for CIL purposes the Charging Authority needs to undertake a proportionate, simple and transparent process consistent with the viability guidance. This should take into account development costs, particularly those for strategic sites and brownfield land and any site-specific requirements. (PPG: Paragraph: 020 Reference ID: 25-020-20190315). It is critical that the Council ensures that charges are not set at a level which puts at risk the sites and scale of development set out in the Local Plan. In order to meet this test, the Council is required to prepare and publish viability evidence. This evidence should take an area-wide approach, but also, critically, it should consider strategic and brownfield sites. In considering the viability of these sites, Councils need to ensure that all development costs are taken into account. The Partial Review of the Haringey CIL Charging Schedule proposes an increase to the residential CIL rate within the Eastern Charging Zone (where the High Road West masterplan area is located) from £15 to £50. In addition to this, the Partial Review proposes a new rate for Build to Rent development of £100. Whilst the proposed increase to the residential rate is not likely in itself to make development unviable in strict terms, it must be considered cumulatively alongside other potential S106 obligations and other requirements. It is not apparent that in setting the CIL charging schedule appropriate consideration has been given to: 1. The various requirements for social and community infrastructure in the Tottenham Area Action Plan and whether these will be delivered through CIL or S106 obligations. Evidence presented at the Goods Yard Inquiry demonstrated a significant lack of clarity and it not evident that the CIL Charging schedule nor the supporting viability work has addressed this. 2. The Borough's and GLAs strongly expressed requirement for 35% affordable housing with a compliant housing mix. Despite planning policy allowing for lower proportions or affordable housing subject to robust viability evidence, as evidenced by recent Mayor of London Stage 1 reports, in practice attaining 35% is seen as politically important.	The parameters of these allocations including development quantum and site-specific infrastructure requirements will be reviewed as part of the New Local Plan with viability assessment carried out to ensure that the revised allocations are deliverable. On this basis, it is not considered that site specific viability assessments are required as part of evidence base. Furthermore, it is considered that that the typology testing undertaken provides appropriate evidence to support the proposed DCS. The Council would also reiterate that the £50 per sq m proposed residential charge amounts to between 1% and 1.6% of development costs. And moreover that the proposed charge reflects an increase of £29.10 per sq m (i.e. the difference between the indexed rate of £20.90 per sq m and the proposed rate at £50). This equates to an increase of circa 0.5% of development costs. Additional analysis by BNPPRE of the proposed CIL charge has identified that the proposed £50 per sq m charge as a whole equates to between 1.25% and 0.7% of affordable housing

		THFC are concerned that CIL rates will be increased without revised expectations on either of these matters thereby making the delivery of regeneration more challenging. Given the importance of this issue to the delivery of housing in the local area, THFC reserve the right to attend any examination on the charging schedule and present further evidence. We trust that the enclosed comments are clear, however, please do not hesitate to contact me if you have any questions or require further information.	costs, with an average of 0.91%. In light of this, the Council considers that the proposed rate is set at a justified level, and consequently it will not be a critical determinant in the viability of developments. Notwithstanding this, the Council would highlight that it considers each site on a case by case basis when applications are submitted. While the Council will continue to seek to maximise the provision of affordable housing in line with its housing policy, its policy requirements allows for flexibility to support the delivery of strategic sites, provided this is justified by robust viability evidence. This position is demonstrated by schemes coming forward with affordable housing levels below the strategic target levels, which have been through robust site-specific viability reviews prior to their consent and some of which are presented by the representation.
11	Collective Planning on behalf of Starlow Holdings Ltd	I write on behalf of our client, Starlow Holdings Ltd, to provide written representations following the publication of LB Haringey's Community Infrastructure Levy (CIL) Draft Charging Schedule for public consultation in the period to 11 February 2020. **Introduction**	It is agreed that there is a need to balance the need to deliver affordable housing with the need to secure contributions to fund community infrastructure to

		Our client is a landowner in the Borough and owns 38 Crawley Road, which is located within the 'Eastern' CIL charging zone. The site is allocated for redevelopment and over time our client will be bringing forward a mixed-use planning application for the site which will contribute to the delivery of housing land supply to meet identified housing needs. Therefore, the rate at which CIL is charged is of great importance to our client. LB Haringey commissioned BNP Paribas to undertake a review of the residential and student accommodation CIL rates in the Eastern CIL Zone of the adopted CIL Charging Schedule as well as to consider a rate for Warehouse Living. The findings of the report are discussed below. **Policy Context** Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. National Planning Practice Guidance1 requires authorities to strike an appropriate balance between additional investment to support development and the potential effect on the viability of developments when deciding the CIL rates. Charging authorities should be able to show and explain how their proposed levy rates will contribute towards the implementation of their relevant plan and support development across the plan area. **Proposed CIL Rates** ***Residential* Rates** The current, adopted CIL Charging Schedule requires CIL to be paid on residential development in the east of the Borough at a rate of £15/sqm. The draft CIL Charing Schedule proposes to increase this rate to £50/sqm, representing an increase of 333.33%. Our client objects to this considerable increase based on a number of errors within the evidence base. ***Viability and Housing Delivery*** Increasing the CIL rate chargeable on residential development schemes in the east of the Borough by 333.33% will have a significant impact on the viability of such schemes coming forward. The increased GIL rate will specifically have a considerable impact of the level of affordable housing that could viably be delivered across the Eastern CIL charging zone. Recent planning decisions in LB Haringey make clear that the level of affordable housing delivered in major development schemes in the eastern charging zone is well below the LB Haringey policy level of 40%. The low level of delivery can be attributed to high land values, high build costs, S106 contributions, and relatively low end values. Recent examples of major residential development schemes that have been approved without providing policy complaint levels of affordable housing include: • Strategic Development Partnership (SOP) Sites, reference: HGY/2018/2223 for 1,036 units. Permission was granted with an affordable housing provision of 25%. The viability assessment	support development and growth. The Council considers that the proposed rates strike this balance appropriately. The testing undertaken by BNPPRE indicates that the proposed increases will have a modest impact on affordable housing levels that can be delivered. Firstly the Council would highlight that the representor's calculation is wrong. The proposed new rate represents 333.3% of the current adopted rate but this only represents a 233.3% percentage change. Second the calculation has not taken into account indexation. CIL rates in the Eastern Zone are currently charged at £20.90 per sq m (as confirmed in the Haringey Annual GIL Rate Summary for 2021). Given this, the proposed new rate represents only a 139.2% change versus the current adopted rate. The Council accepts that the simple analysis of the percentage increase in the charge is methodologically correct. However, percentages of rate increases in themselves can be misleading (as shown by

		concludes that a 25% provision is in excess of what the proposed scheme can viably support and is therefore beyond the 'maximum reasonable' amount as defined in the London Plan. • 38 Crawley Road, reference: HGY/2019/0938 for 29 units. This site is directly to the south of our client's site and benefits from the same site allocation. The agreed viability exercise demonstrated the maximum viable amount of affordable housing to be 19% by habitable room. • 44-46 High Road, reference HGY/2018/1472. Allowed at appeal with 25% affordable housing provision. • Berol Yard, reference: HGY/2017/2044 for 166 units. Granted with 8% affordable housing provision. • Land rear of Plevna Crescent, reference: HGY/2017/2036 for 72 units. Granted with 20% affordable housing provision. • Bernard Works, reference: HGY/2017/3584 for 99 units. Granted with 12% affordable housing provision. Paragraph 3.14 of the Community Infrastructure Levy: Eastern Haringey Viability Update Study (CIL Study) confirms that, given the lack of a single threshold land value, it is difficult for policy makers to determine the minimum land value that sites should achieve. This will ultimately be a matter of judgment for each planning authority. Determining minimum land values introduces a certain amount of uncertainty that should also be reflected within the development appraisals. The introduction of an increased CIL rate will further stifle the delivery of new housing in the Borough. The examples provided above demonstrate that residential schemes are already unable to viably deliver policy compliant levels of affordable housing with the CIL rate set of £15/sqm. The proposed rate of £50/sqm would further exacerbate issues with delivery of affordable housing. By increasing the CIL chargeable on residential developments, the Council will jeopardise the delivery of new housing and the opportunity to deliver affordable housing at levels compliant with policy requirements. LB Haringey's Local Plan policy SP2 sets the target of providing 40% affordable housing on sites capable of delivering 10 or more units. With the delivery of affordable housing a core objective of both the Local Plan and National Planning Policy, the regeneration objectives of LB Haringey's Local Plan will be significantly compromised by the proposed increase. **Comparable Sites** The site immediately to the south of our client's site has recently received a resolution to grant planning permission at committee (ref: HGY/2019/0938). The scheme's viability has been assessed in a supporting Affordable Housing and Viability Statement which concluded that the provision of any affordable housing on site would generally exceed the level which can viably be supported by the scheme. The level of affordable housing delivered on the site, 19%, represents the maximum reasonable level of provision which can be supported by the scheme. This position was agreed by LB Haringey's independent assessment. In resolving to grant planning permission, the committee accepted that the scheme could not	the differences in the rates just based on indexation or the way the uplift is expressed). The increase is expressed by reference to the starting point charge, and provides no information as to the likely impact on development of the revised charge. For example if a rate of say £10 per sq m were to be increased by 50% this would take the charge up to £15 per sq ft. An increase of 50% appears to be significant, however this in fact only represents a £5 per sq m increase. More particularly however, the percentage uplift does not identify the impact on development viability of such a charge. The important issue to consider is the amount of the actual charge being proposed and the impact of this on residual land value of developments. To this end the Council would highlight that the £50 per sq m proposed residential charge only amounts to between 1% and 1.6% of development costs. However, the proposed charge reflects an increase of £29.10 per sq m (i.e. the difference between the indexed rate of £20.90 per sq m and the proposed rate at £50). This

		deliver policy compliant levels of affordable housing. This site is very similar in character to our client's site in the same location and being previously industrial land. It is therefore important to note this scheme at the lower CIL rate could only deliver 19% affordable housing and therefore the proposed increase in CIL will detrimentally impact the viability of any scheme on our client's site. **Conclusions** It is essential that the introduction of the revised CIL charge will not prevent development coming forward. The introduction of a CIL charge would affect the deliverability of new residential schemes promoted through prevailing policy and hamper the quality of such spaces in key regeneration areas in the borough. Further eroding the viability and potential for new residential schemes coming forward conflicts with the core objectives of both local and national planning policy. Therefore, our client objects to the proposed raised in CIL charges for residential floorspace in the eastern district as this will act contrary to the objectives of the development plan in terms of viability and affordable housing targets.	equates to an increase of circa 0.5% of development costs. In light of this, the rate is set at a nominal level, and consequently it will not be a critical determinant in the viability of developments. The Council and BNPPRE note that developers frequently build in allowances for 5% contingency of build costs. Furthermore, developers are typically able to absorb build cost inflation running at around 2.5% annually, in comparison to a one-off CIL charge typically at a lower percentage. BNPPRE has undertaken further analysis of the proposed CIL charge and has identified that the proposed £50 per sq m charge as a whole equates to between 1.25% and 0.7% affordable housing, with an average of 0.91%. In light of the above, the Council considers that in determining its proposed charge, it has struck an appropriate balance between the delivery of development and the funding of necessary infrastructure to support such development as required by Regulation 14.

12	Lucy Bird, Planning Director, St James and William	St William Homes LLP ('St William') is pleased to provide representations in response to the above consultation. Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'). The partnership combines National Grid's extensive portfolio of surplus brownfield sites across London and the South East with the Berkeley Group's design expertise and proven track record of delivery to create high-quality residential and mixed use developments. St William have an interest in the former National Grid Energy Transmission (NGET) site located between Eade and Vale Road, Manor House, N4. St William understands that key regeneration schemes within the eastern part of the borough (namely around the Tottenham Hale and North Tottenham growth areas) have generated the need for a CIL review. The review seeks to increase the rate for residential development within the eastern zone of the borough (in some cases by eightfold) and also seeks to distinguish between different residential uses, including Build to Rent and Warehouse Living, in rate setting. St William is keen to work positively with the Council throughout the charge setting, and subsequent implementation processes, to ensure that development in the Borough continues to be viable and deliverable. In this regard it will be crucial for the proposed CIL charges to strike the appropriate balance between the need for infrastructure and the viability of development as required by the CIL Guidance which states that: *"Charging authorities should set a rate which does not threaten the ability to develop viably the sites and scale of development identified in the relevant Plan (the Local Plan in England, Local Development Plan in Wales, and the London Plan in London)." (25-008-20140612)* Former Gasworks sites are unique in both use and character; they are challenging and abnormally expensive to redevelop and regenerate compared to delivery of development on other brownfield sites. In addition, they can also have ongoing operational requirements requiring physical infrastructure and easements which can considerably reduce the developable site area. St William Homes LLP, Berkeley House, 15b St George Wharf, Vauxhall, London, SW8 2LE Tel 020 3725 8980 www.stwilliam.co.uk The further challenge for developers of surplus utilities sites is the extra ordinary costs that must be incurred to bring them forward for development; typically, these costs must also be incurred upfront which exacerbates the viability challenge. In considering the viability of these sites and their risk profile Councils need to ensure that all development costs are taken into account in accordance with CIL Guidance: *"A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper assessment of viability in an area. (25-020-20140612)"*	The Council notes the representor's comments on specific viability challenges to bring former utility sites forward. Viability testing is regularly used in the consideration of such sites to ensure the consented scheme is deliverable. Notwithstanding this we note that some gas works sites have been able to offer policy compliant levels of affordable housing such as the Poplar Gas Works site, Leven Road in Tower Hamlets, which was recently consented with an affordable housing offer of 35%. Abnormal costs, such as decontamination are too variable and site and scheme specific to assess explicitly within an area wide viability assessment. The Council notes that the Examiner for Bristol's CIL Charging Schedule identified at paragraph 26 that, *"By definition, the GIL cannot make allowance for abnormal, site specific, costs. The rates have to be based on a generic analysis of a variety of size and type of schemes across the area, taking into account average local build costs, not the individual circumstances of particular sites. The fact that a few specific schemes that are already marginal may become unviable in certain locations*

		The Guidance also requires Councils to consider those sites (such as brownfield sites) where the impact of the levy is likely to be most significant when setting CIL rates. St William recognise that the viability of residential development across the Borough varies dependant on the proposed residential product and geographical location. As such, the Council's intended approach to set variable CIL rates to reflect this is supported; however, St William have concerns about the high rates increases currently proposed for the eastern zone which it is considered would render surplus utility sits unviable and prevent their regeneration. The viability update study which provides evidence to underpin the draft charging schedule notes that some schemes would be unviable even if a zero CIL were adopted and therefore recommends that the Council 'pays limited regard to these schemes' as they are unlikely to come forward unless there are significant changes to main appraisal inputs, largely separate to the influence of CIL. The Study does not attempt to undertake any site-specific assessments, despite Government guidance that brownfield sites with significant viability challenges should be included. The specific viability challenges to bring former utility sites forward needs to be considered as part of the CIL process and a balanced needs to be struck between securing enough revenue to invest in infrastructure on the one hand and the need to *minimise* the impact upon development viability on the other. On this basis, St William welcome further discussion with the Council. St William trust that their comments will be duly considered as the Charging Schedule is progressed. Should you wish to discuss these comments or require any further information please do not hesitate to contact me.	*should not have a significant impact on the delivery of new housing across the city to meet the requirements of the adopted* **CS."** Developers are expected to take reasonable levels of due diligence and factor this into their purchase price. In addition we note that on a number of gasworks sites remediation costs are covered by both the land owner and developer i.e. the land owner decontaminates the site up to industrial use and the developer will then cover the costs of decontamination up to the residential use for the proposed development. Notwithstanding the above the Council considers that in arriving at the proposed rates it has struck an appropriate balance between securing sufficient revenue to fund necessary infrastructure whilst considering the deliverability of schemes as required by Regulation 14 of the CIL Regulations. Moreover it has acknowledged that it will continue to apply its policies flexibly i.e. subject to robust viability evidence in decision making of specific sites as provided for in the Council's policies.

13	Josephine Vos, London Plan and Planning Obligations Manager, Transport for London	Thank you for the invitation to comment on the London Borough of Haringey Community Infrastructure Levy (CIL) draft charging schedule (DCS). I am responding on behalf of Transport for London (TfL) and the comments here are based upon the proposed charging schedule and the supporting documents, including the Eastern Haringey Viability Update Study Report (October 2019) and Infrastructure Delivery Plan Update Report (April 2016). Public and active transport infrastructure is vital to support 'good growth' across London, and CIL will continue to play an important role in funding infrastructure to support new development. Generally, TfL supports and welcomes the approach you have set out and I only have the following minor observations to make. The Mayor's adopted Charging Schedule (MCIL2) came into effect on 1 April 2019 and I am pleased to note that MCIL2 has been taken into account by BNP Paribas in their Viability Review Report, and subsequently, in the rates proposed in your draft charging schedule. I have noted the significant funding gap that underpins the Haringey draft charging schedule. Whilst I am aware that the purpose of the funding gap is to meet one of the two key tests set out in the CIL regulations 2010 (as amended), the supporting infrastructure evidence (in terms of transport) was last updated in 2016. The IDP refers to the Mayor's Transport Strategy 2010 and several projects listed in the IDP have delivery dates that are in the past. The new Mayor's Transport Strategy 2018 sets out a bold new approach and ambitious new targets to create a more liveable city. The context therefore has changed significantly since 2016 and you should use this as an opportunity to review the IDP and update it to reflect current timeframes, budgets and priorities including an increased focus on sustainable transport modes in line with the Healthy Streets Approach. I hope that you find these comments useful, and please contact me if you wish to discuss anything further. TfL officers welcome the opportunity to support policy development at the local level. I would be grateful if you could note our request to be notified when you submit your charging schedule for examination, the publication of the recommendations of the examiner and approval of the charging schedule. TfL looks forward to working closely with you in ensuring that necessary transport infrastructure is prioritised and delivered in the borough to aide both the delivery of the Mayor's Transport Strateav and enable new homes and jobs to support London's growth.	No issues to address
14	Collective Planning on behalf of CPG Feldman	I write on behalf of our client, CPG Feldman, to provide written representations following the publication of LB Haringey's Community Infrastructure Levy (CIL) Draft Charging Schedule for public consultation in the period to 11 February 2020. **Introduction** Our client is a landowner in LB Haringey and owns Omega Works, Hermitage Road. This site is an allocated site, located within the designated Warehouse Living district, in the 'Eastern' CIL charaina zone. Our client is developina a mixed-use plannina application for the redevelopment	With regard to residential rates, testing undertaken by BNPPRE indicates that the proposed increases will have a modest impact on affordable housing levels that can be delivered.

		of their site which will contribute to the delivery of housing land supply to meet identified housing needs. Therefore, the rate at which GIL is charged is of great importance to our client. LB Haringey commissioned BNP Paribas to undertake a review of the residential and student accommodation GIL rates in the Eastern GIL Zone of the adopted GIL Charging Schedule as well as to consider a rate for Warehouse Living. The latter use is a newer form of housing development that has been planned for in the borough and is consequently not currently covered by the adopted GIL Charging Schedule. The findings of the report are discussed below. **Policy Context** Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. National Planning Practice Guidance1 equires authorities to strike an appropriate balance between additional investment to support development and the potential effect on the viability of developments when deciding the GIL rates. Charging authorities should be able to show and explain how their proposed levy rates will contribute towards the implementation of their relevant plan and support development across the plan area. **Proposed GIL Rates** ***Residential* Rates** The current, adopted GIL Charging Schedule requires GIL to be paid on residential development in the east of the Borough at a rate of £15/sqm. The draft GIL Charing Schedule proposes to increase this rate to £50/sqm, representing an increase of 333.33%. Our client objects to this considerable increase based on a number of errors within the evidence base. ***Viability and Housing Delivery*** Increasing the GIL rate chargeable on residential development schemes in the east of the Borough by 333.33% will have a significant impact on the viability of such schemes coming forward. The increased GIL rate will specifically have a considerable impact of the level of affordable housing that could viably be delivered across the Eastern GIL charging zone. Recent planning decisions in LB Haringey make clear that the level of affordable housing delivered in major development schemes in the eastern charging zone is well below the LB Haringey policy compliant level of 40%. The low level of delivery can be attributed to high land values, high build costs, S106 contributions, and relatively low end values. Recent examples of major residential development schemes that have been approved without providing policy complaint levels of affordable housing include: • Strategic Development Partnership (SOP) Sites, reference: HGY/2018/2223 for 1,036 units. Permission was granted with an affordable housing provision of 25%. The viability assessment concludes that a 25% provision is in excess of what the proposed scheme can viably support and is therefore beyond the 'maximum reasonable' amount as defined in the London Plan.	The Council considers that the proposed rates strike an appropriate balance between the need to deliver affordable housing with the need to secure contributions to fund community infrastructure to support development and growth. Firstly the Council would highlight that the representor's calculation is wrong. The proposed new rate represents 333.3% of the current adopted rate but this only represents a 233.3% percentage change. Second the calculation has not taken into account indexation. GIL rates in the Eastern Zone are currently charged at £20.90 per sq m (as confirmed in the Haringey Annual GIL Rate Summary for 2021). Given this, the proposed new rate represents only a 139.2% change versus the current adopted rate. The Council accepts that the simple analysis of the percentage increase in the charge is methodologically correct. However, percentages of rate increases in themselves can be misleading (as shown by the differences in the rates just based on indexation or the way the uplift is expressed). The

		• 38 Crawley Road, reference: HGY/2019/0938 for 29 units. The agreed viability exercise demonstrated the maximum viable amount of affordable housing to be 19% by habitable room. • 44-46 High Road, reference HGY/2018/1472. Allowed at appeal with 25% affordable housing provision. • Berol Yard, reference: HGY/2017/2044 for 166 units. Granted with 8% affordable housing provision. • Land rear of Plevna Crescent, reference: HGY/2017/2036 for 72 units. Granted with 20% affordable housing provision. • Bernard Works, reference: HGY/2017/3584 for 99 units. Granted with 12% affordable housing provision. Paragraph 3.14 of the Community Infrastructure Levy: Eastern Haringey Viability Update Study (CIL Study) confirms that, given the lack of a single threshold land value, it is difficult for policy makers to determine the minimum land value that sites should achieve. This will ultimately be a matter of judgment for each planning authority. Determining minimum land values introduces a certain amount of uncertainty that should also be reflected within the development appraisals. The introduction of an increased CIL rate will further stifle the delivery of new housing in the Borough. The examples provided above demonstrate that residential schemes are already unable to viably deliver policy compliant levels of affordable housing with the CIL rate set of £15/sqm. The proposed rate of £50/sqm would further exacerbate issues with delivery of affordable housing. By increasing the CIL chargeable on residential developments, the Council will jeopardise the delivery of new housing and the opportunity to deliver affordable housing at levels compliant with policy requirements. LB Haringey's Local Plan policy SP2 sets the target of providing 40% affordable housing on sites capable of delivering 10 or more units. With the delivery of affordable housing a core objective of both the Local Plan and National Planning Policy, the regeneration objectives of LB Haringey's Local Plan will be significantly compromised by the proposed increase. **Warehouse Living Rates** Newly introduced by the draft CIL Charing Schedule, it is proposed that CIL will be chargeable at a rate of £130/sqm for all new warehouse living schemes. Warehouse living is a very new typology that has been included in adopted policy. The proposed CIL rate of £130/sqm is in a similar region to the proposed residential CIL charge of £165/sqm in the Central charging zone. This implies a comparison between residential and warehouse living which is wholly inappropriate considering the CIL rate for office space and all other uses is proposed to remain nil. By its very nature, warehouse living is defined by a mix of residential and commercial elements. It is classed by Haringey Development Management	increase is expressed by reference to the starting point charge, and provides no information as to the likely impact on development of the revised charge. For example if a rate of say £10 per sq m were to be increased by 50% this would take the charge up to £15 per sq ft. An increase of 50% appears to be significant, however this in fact only represents a £5 per sq m increase. More particularly however, the percentage uplift does not identify the impact on development viability of such a charge. The important issue to consider is the amount of the actual charge being proposed and the impact of this on residual land value of developments. To this end the Council would highlight that the £50 per sq m proposed residential charge amounts to between 1% and 1.6% of development costs. However, the proposed charge reflects an increase of £29.10 per sq m (i.e. the difference between the indexed rate of £20.90 per sq m and the proposed rate at £50). This equates to an increase of circa 0.5% of development costs. In light of this, the rate is set at a nominal level, and consequently

		Policies DPD as a 'Sui Generis' use and therefore cannot be compared to residential when determining the GIL rates. ***Viability Evidence*** The Warehouse Living appraisal produced by BNP Paribas for the supporting evidence base document makes a number of assumptions when determining the viability of development schemes that are incorrect. Table 4.53.1 sets out the assumption that each room within a Warehouse Living development has a rental value of £700 per calendar month. The warehouse living appraisal result, however, assumes a rental value of £800 per calendar month. This clearly demonstrates discrepancies between the appraisals and their analyses. Whilst similar typologies available to rent in the local area have broadly similar rental values to those used by BNP Paribas in their development appraisal, these rental values generally include all bills and council tax which account for a significant proportion of the monthly rent. Removing these costs from the monthly rent reduces the income earned by the freeholder. BNP Paribas has failed to take these reductions into account in the GIL Study, which therefore needs to be updated to reflect a lower overall rental level. ***Build* Costs** LB Haringey's Warehouse Living policy, DM 39, requires an appropriate standard of living for the integrated residential element and applications must have regard to the building specifications and amenity standards to be achieve for both the workshop space and the residential accommodation. This indicates that LB Haringey will expect the specification of the residential elements to be in line with prevailing residential standards. The GIL Study acknowledges that there will be differences from site to site with respect to conversion costs and quality. However, the study does not make reference to new build costs and does not include any demolition costs. Warehouse Living is defined in the glossary of the Development Management DPD as *a specific type of land use that comprises purpose built and genuine integrated, communal working and living accommodation.* Paragraphs 6.36 to 6.38 of the GIL Study make reference to the conversion costs of warehouse living schemes, set at £98.57 per square foot in the development appraisal. In only undertaking a development appraisal for a conversion scheme, BNP Paribas have failed to take into account that not all warehouse living schemes will be conversions. For new build schemes, build costs will be similar to those of residential developments (given the policy requirements for residential quality). At paragraph 4.22 of the GIL Study, build costs of £2055 per sqm (£191.23 per sqft) have been assumed for high density residential development. If this higher cost is inputted into the development appraisal, the build costs rise from £1,124,479 to £2,181,552. This rise in building costs would have a significant detrimental effect on the profit, making such schemes unviable. Further analysis must be undertaken to determine the demolition and new build costs of purpose-built schemes, in line with the very definition of warehouse living as set out in the Development	it will not be a critical determinant in the viability of developments. The Council and BNPPRE note that developers frequently build in allowances for 5% contingency of build costs. Furthermore, developers are typically able to absorb build cost inflation running at around 2.5% annually, in comparison to a one-off GIL charge typically at a lower percentage. BNPPRE has undertaken further analysis of the proposed GIL charge and has identified that the proposed £50 per sq m charge as a whole equates to between 1.25% and 0.7% of affordable housing costs, with an average of 0.91%. In light of the above, the Council considers that in determining its proposed charge, it has struck an appropriate balance between the delivery of development and the funding of necessary infrastructure to support such development as required by Regulation 14. With regard to Warehouse Living, BNPPRE and the Council would highlight that at the time of production of the evidence

		Management DPD. To omit these analyses from the study entirely is inappropriate and does not provide a representative nor sound analysis for warehouse living schemes. **Conclusions** It is essential that the introduction of the revised CIL charge will not prevent development coming forward. The introduction of a CIL charge would affect the deliverability of new warehouse living schemes promoted through policy DM39 and hamper the quality of such spaces in key regeneration areas in the borough. By further eroding the viability and potential for new warehouse living schemes coming forward, the important warehouse population will not be able to grow and is likely to be displaced by higher value uses such as residential. Considering the significant element of commercial studio space, it should be considered more akin to commercial floorspace, carrying a charge per sqm of nil. We argue there should be a balance struck between the proposed CIL charge rate and the defined characteristics in between commercial and residential use. Therefore, our client objects to the proposed raised in CIL charges for warehouse living and residential floorspace in the eastern district as this will act contrary to the objectives of the development plan in terms of viability and affordable housing targets. The methodology surrounding the warehouse living concept has also not been reflected accurately in the BNP Paribas CIL Study.	base, all Warehouse Living schemes delivered in the Borough had been based on former warehouses being refurbished and converted to residential uses. To this end BNPPRE's assessment of viability of such uses was based on a refurbishment development scenario. It has only been since the evidence for the DCS was prepared that a redevelopment scenario for Warehouse Living has started to be pursued in the Borough and the Council is in the early stages of pre-application discussions on a number of proposals. To this end there is no existing evidence of new build Warehouse Living schemes and the Council is working with stakeholders to agree what a suitable new build Warehouse Living scheme could look like to be in accordance with planning policy. The Council has been presented with various arguments that the delivery of new build Warehouse Living schemes is challenging in viability terms. The Council considers that some of these arguments have merit and acknowledges that the proposed rate for Warehouse Living in the Council's DCS which was modelled on refurbished

			Warehouse Living schemes is not representative of the viability of new build Warehouse Living schemes, which could potentially be very different in their form. The Council therefore agrees that the evidence presented therefore does not provide an appropriate basis upon which to set a charge for such new build schemes. The Council is also not currently in a position to assess the likely viability of such schemes, this would be premature given the ongoing discussions exploring the form of such developments in the Borough. The Council has also considered the merit of maintaining a charge for refurbished Warehouse Living schemes. The Council recognises that there will be limited if any CIL liable floorspace delivered given the CIL Regulations discount existing floorspace form proposed floorspace. Having regard to the above and policy DM39 in the Development Management DPD which seeks to secure a long-term sustainable economic future for key Warehouse Living sites, the Council proposes to remove the

			Warehouse Living charge of £130 per sqm in the DGS before it is submitted for examination. The modification is considered necessary to strike an appropriate balance between the desirability of funding infrastructure through GIL and the potential effects of the imposition of GIL as required by the GIL Regulations. The consequence of the modification is that Warehouse Living schemes would continue to be subject to a nil GIL charge but would still be subject to other S106 planning obligations as necessary.