



**Intelligent Plans**  
and examinations

AN EXAMINATION UNDER SECTION 212 OF THE  
PLANNING ACT 2008 (AS AMENDED)

**REPORT ON THE DRAFT TEIGNBRIDGE DISTRICT  
COUNCIL COMMUNITY INFRASTRUCTURE LEVY  
CHARGING SCHEDULE**

Independent Examiner (appointed by the Council): Keith Holland BA (Hons)  
DipTP MRTPI ARICS

Charging Schedule Submitted for Examination: 11 September 2024

Date of Report: 18 December 2025

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## **Main Findings - Executive Summary**

In this report I have concluded that the draft Teignbridge Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area.

The Council has provided sufficient evidence that shows that with the modification recommended the proposed rates would not threaten delivery of the Local Plan.

One modification is necessary to meet the drafting requirements. This can be summarised as follows:

- Amend the rate for Bradmore New Neighbourhood to £0 m2.

The specified modification recommended in this report does not alter the basis of the Council's overall approach or the appropriate balance achieved.

## **Introduction**

1. I have been appointed by Teignbridge District Council, the charging authority, to examine the review of the draft Teignbridge District Council Community Infrastructure Levy (CIL) Charging Schedule. I am a chartered town planner with more than 30 years' experience inspecting and examining Development Plans and CIL Charging Schedules.
2. This report contains my assessment of the Charging Schedule in terms of compliance with the requirements in Part 11 of the Planning Act 2008 as amended (the Act') and the Community Infrastructure Regulations 2010 as amended (the Regulations')<sup>1</sup>. Section 212(4) of the Act terms these collectively as the "drafting requirements". I have also had regard to the National Planning Policy Framework (NPPF) and the CIL section of the Planning Practice Guidance (PPG).<sup>2</sup>
3. To comply with the relevant legislation, the submitted Charging Schedule must strike what appears to the charging authority to be an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district. The PPG states<sup>3</sup> that the examiner should establish that:

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<sup>1</sup> The Regulations have been updated through numerous statutory instruments since 2010, most notably through the Community Infrastructure Levy (Amendment) (England)(No. 2) Regulations 2019.

<sup>2</sup> The CIL section of the PPG was substantially updated on 1 September 2019, and most recently updated 26 April 2024. At the time of completion of the examination, no further updates have been made to the CIL section of the PPG following publication of the December 2024 NPPF. For example, in relation to Development contributions, the paragraph referenced in the current PPG as 34 is now paragraph 35 (albeit the text remains unchanged).

<sup>3</sup> See PPG Reference ID: 25-040-20190901.

- the charging authority has complied with the legislative requirements set out in the Act and the Regulations;
  - the draft charging schedule is supported by background documents containing appropriate available evidence;
  - the charging authority has undertaken an appropriate level of consultation;
  - the proposed rate or rates are informed by, and consistent with, the evidence on viability across the charging authority's area; and
  - evidence has been provided that shows the proposed rate or rates would not undermine the deliverability of the plan (see NPPF paragraph 34<sup>4</sup>).
4. The basis for the examination, on which a hearing session was held on 30 September 2025, is the submitted schedule of 11 September 2024 which is effectively the same as the draft November 2023 Schedule published for public consultation in December 2023 (following a previous consultation in January 2023) with minor modifications in September 2024. Following the hearing, additional written representations regarding the approach adopted by Three Dragons (who the Council commissioned to undertake viability work) were provided at my request by Chester Harcourt and Three Dragons.<sup>5</sup>
5. Unless otherwise stated in this report, all charges are £ per square metre (£/sq.m). There is an existing CIL in place in Teignbridge, adopted on 13 October 2014, based on five residential charging zones.<sup>6</sup> The Council propose to change this and are now proposing what some might view as an unusually complicated matrix approach. There are 5 proposed charging zones for conventional dwellings. The charging zones are shown on a series of maps in the Schedule. In Zone 1 the rate is £150, in Zone 2 £210, in Zone 3 (Bradmore New Neighbourhood) £70, in Zone 4 (Markham Village, Peamore & West Exe) £150 and in Zone 5 (all other rural areas including rural villages) £300. A nil charge is proposed for flats and apartments in a block of 2 or more units on 2 or more storeys. Retirement accommodation including extra care, assisted living and residential care homes would have a nil charge. Open market homes on rural exception sites under the terms of Local Plan Policy H7 (with at least 70% affordable housing) would be nil rated, while those under Local Plan Policy H8 would be charged £150. Retail development outside of identified town centres would be subject to a £150 charge provided the floorspace is 280sq.m or more. All other development including affordable housing would be subject to a nil charge.

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<sup>4</sup> Paragraph 35 in the December 2024 NPPF.

<sup>5</sup> View all the examination documents at: <https://www.teignbridge.gov.uk/planning-and-building-control/community-infrastructure-levy-cil/community-infrastructure-levy-cil-examination/>

<sup>6</sup> View at: <https://www.teignbridge.gov.uk/planning-and-building-control/community-infrastructure-levy-cil/community-infrastructure-levy-cil/how-much-cil-do-i-pay/>

## **Has the charging authority complied with the legislative requirements set out in the Act and the Regulations, including undertaking an appropriate level of consultation?**

6. Teignbridge District Council has prepared a Local Plan to extend to 2040. This Plan is still at the examination stage.<sup>7</sup> The Planning Inspectorate Inspectors have informed the Council that, with modifications, the Local Plan is likely to be capable of being found sound. The emerging Local Plan provides for a minimum of 14,400 new homes between 2020 and 2040 with over 70% of these located in Newton Abbot and Kingsteignton Garden Community and on the edge of Exeter. The Plan also anticipates the provision of around 65 hectares of new employment generating floorspace concentrated in the urban parts of the district.
7. The proposed CIL Charging Schedule has been subject to three consultation stages. The first was in January 2023 when the CIL consultation was linked with the Regulation 19 Local Plan consultation. A second draft CIL Charging Schedule consultation was undertaken in December 2023 and a modifications consultation was carried out in September 2024. This examination is based on the November 2023 draft Schedule as modified in 2024.
8. The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Local Plan and the Infrastructure Delivery Plan, and is supported by an adequate financial appraisal. I also consider it compliant with the national policy and guidance contained in the NPPF and PPG respectively.

## **Is the draft charging schedule supported by background documents containing appropriate available evidence?**

### *Infrastructure planning evidence*

9. The Council prepared an Infrastructure Delivery Plan (IDP) dated March 2024 to inform the Local Plan examination. The IDP comprehensively identifies the infrastructure needs that are anticipated in the light of the Local Plan proposals. Sources of funding where known are detailed. The most significant funding shortfalls relate to education, flooding, health and green infrastructure. The identified sources of funding amount to just over £164,000,000 while the unidentified funding is put at a little over £239,000,000. In the light of the information provided a CIL is justified. The proposed charge is expected to make only a modest contribution towards filling the likely funding gap.

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<sup>7</sup> View progress on the Local Plan Examination and all relevant documents at: <https://www.teignbridge.gov.uk/planning-and-building-control/local-plan-examination/local-plan-examination-introduction/>

## *Economic viability evidence*

10. The Council commissioned Three Dragons to undertake viability work to inform the Teignbridge Local Plan and to consider whether changes should be made to the CIL rates that the Council currently applies. An initial viability assessment (VA) was published in January 2023 followed by an addendum (VAA) in October 2023. The VAA sought to address some of the issues raised in the first Local Plan/CIL consultation and to take into account changes to policy and market conditions. The main changes introduced in the VAA are cost information relating to Energy and Carbon Statements, testing the three largest Local Plan allocations and updating values and costs from 4Q 2021 to 1Q 2023. The viability work included consultations with the development industry.
11. As is common in CIL viability work, Three Dragons uses a typology approach based on discussions with the Council regarding the likely forms of development in the area. Three broad groups of development types are defined – residential, specialist homes and non-residential.
12. Fourteen generic residential typologies are identified ranging from a small house scheme involving 3 units to an 800-unit scheme. The testing included both green field and brown field sites as appropriate for the type of development envisaged. Three older person typologies are tested including a 60-bed care home proposal. Nine non-residential typologies are tested involving offices, industrial/warehouse, retail and a budget/business hotel.
13. Other than for the flatted typologies, for each of the conventional residential typologies a mix of dwelling types is assumed. The mix assumed was based on land registry data for open market dwellings and on data from the Council's Housing Enabler for the affordable dwellings. A range of affordable housing requirements are tested with the highest amount of affordable housing assumed (70%) for rural exception sites.
14. Assumptions about private sector dwelling sizes are based on data from the Land Registry and Energy Performance Certificates. Construction costs for flats included non-saleable circulation and common areas. An allowance of 25% floor area is added for sheltered homes and 35% for extra care homes to allow for circulation, common and service areas.
15. In the VA, assumptions about base residential build costs were based on benchmarking by the Build Cost Information Service (BCIS) and actual tender prices over a 5-year period rebased to Q2 2022 and Devon prices using BCIS defined adjustments. The VAA notes that BCIS base build costs for 1Q 2023 are higher than the figures in the VA. This increase is taken into account in the most up-to-date viability conclusions reached by Three Dragons. Further costs to fully reflect the Part L Building Regulation 2021 requirements are added at the rate of £45/sq.m for houses and £35/sq.m for flats. Three Dragons build in an uplift of 5.4% for houses and 15.5% for flats to reflect the net zero policy requirements in the Local Plan. The implications of the various cost increases for considerations, such as

professional fees that are based on a percentage of build costs, are included in the VAA. For care homes, the VAA increases the base build cost from £1,907 to £2,071 to take account of meeting the BREEAM Excellent standard.

16. A range of other standard development costs are added to the base build costs. These include the cost of providing garages, plot costs/site infrastructure/contingency, professional fees, marketing and legal fees. Policy costs are also taken into account. These include costs relating to biodiversity net gain, EV charging points, accessibility, s106 agreements and habitats mitigation for the Exe Estuary and Dawlish Warren. The VAA updates these cost figures for garages, s106, habitats mitigation and accessibility. The cost of finance, which was assumed to be 6% in the VA, is increased to 8%. The finance cost is based on total development costs, including land purchase.
17. Developers profit assumptions are 17.5% of Gross Development Value (GDV) for market dwellings, 6% of GDV for affordable homes and 10% of GDV for First Homes.<sup>8</sup> These are not out of line with assumptions frequently used in viability work.
18. The VA assesses benchmark land values (BLV) for greenfield sites, paddock land and brownfield land. The VAA increases the benchmark values for greenfield sites based on commentaries about agricultural values from Savills, Strutt and Parker, Knight Frank and Carter Jonas. The VAA values are £21,000/ha for farmland and £60,000/ha for paddock land. Brownfield site values remain unaltered at £865,000/ha for town centre sites (based on Plymouth CBD<sup>9</sup> land), £523,000/ha for "standard" brownfield land and £368,000/ha for lower value brownfield land (i.e. a low value industrial site). The work by Three Dragons provides benchmark land values based on premiums of 10, 15 and 20 times greenfield existing use value and 10%, 20% and 30% over brownfield existing use value. On this basis, the VAA testing uses three benchmark values for large green field sites - £210,000/ha, £315,000/ha and 250,000/ha. For small green field sites, the BLV is based on 10 and 15 times paddock value, giving a BLV of £600,000/ha and £900,000/ha.
19. For three strategic sites (Bradmore New Neighbourhood, Markham Village and Peamore & West Exe) additional consideration has been given to benchmark values. For Bradmore, a large site in a lower value area with policy constraints and undevelopable land affected by powerlines, the VAA uses three adjusted benchmark values of £188,931/ha, £281,864/ha and £224,334/ha. Three Dragons argue that the lower benchmark value of £188,931/ha is the most applicable for Bradmore, as it is a large site in a lower value area with policy and other constraints. As the other two strategic sites do not have the same constraints, the benchmark values applied to them in £/ha are £210,000, £250,000 and £315,000. In all three

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<sup>8</sup> The December 2024 NPPF has removed the mandatory requirement for 25% of affordable housing to be First Homes. However, the option to deliver First Homes, both through s106 and exception sites, remains in place.

<sup>9</sup> Central Business District.

cases, the implications of Suitable Alternative Natural Greenspace (SANG) requirements are included in the s106 part of the testing.

20. The residential values in the VA were derived from an analysis of over 1,000 new build records over 5 years, matched to Energy Performance Certificates. The base date was 4Q 2021. The VAA updates this evidence to match the date of the cost information using the Land Registry Price Index for Teignbridge. The index shows a change of plus 9.9% between 4Q 2021 and 1Q 2023. This change was "sense checked" by a review of 42 new builds over the summer of 2023.
21. For sheltered and extra care housing, the values in the VA were based on the Retirement Group guidance and a limited amount of sales data. The sales data indicated higher values than the Retirement Group guidance. The VA assumed a mid-point value between the two. Care homes were valued at £80,000 per bedroom. The VAA assumes that the value of housing for older people tracks the general market and states that there is no evidence of an increase in care homes values.
22. For affordable housing values, a capitalised net rent approach is used. Registered Providers of affordable housing in the area have been involved in establishing appropriate transfer values. The data shows figures for social rent, shared ownership and First Homes dwellings. Figures for both flats and terraced houses are provided. Values range from £71,000 for a social rent flat to £265,000 for a terraced First Home.
23. Based on the identified residential values, Three Dragons identified two value areas. Zone 1 - Newton Abbot, Dawlish and Chudleigh and Zone 2 - Teignmouth, Bovey Tracey, Exminster, Shaldon and the rural areas. For Zone 1, the VAA has average values that range from £191,000 for flats to £505,000 for detached houses. For Zone 2, the comparable values are £247,000 and £558,000. For affordable housing, the VAA values range from £71,000 for flats to £265,000 for First Homes in Zone 2.
24. The VAA adds a new dimension to the residential values in the area by looking specifically at values in the three strategic sites shown in the Local Plan – Bradmore, Markham and Peamore & West Exe. The Bradmore values are based on values across the west side of Newton Abbot. Markham and Peamore & West Exe logically use values of properties under construction in the southwest Exeter urban extension. The data shows that the strategic site values are a little lower than those elsewhere in the district.
25. Turning to non-residential uses, the VA tests nine typologies involving offices, industrial, warehousing, retail and hotel development. The value evidence is presented in a conventional way showing £/sq.m for net rentable floorspace and the relevant yield. The hotel value is the exception and is based on £/room capitalised value. A comprehensive range of standard development costs and assumptions are taken into account. The VA notes the difficulty of establishing benchmark values for commercial development. Three Dragons use the Teignbridge residential values as a starting point. A

20% premium over estimated use value (EUV) is applied where appropriate. The benchmark land values established range from £627,600 to £1,038,000.

26. The draft Charging Schedule is supported by detailed evidence of community infrastructure needs and development costs and values. On this basis, the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate.

**Are the proposed rates informed by and consistent with the evidence on viability across the charging authority's area?**

27. For residential development, the VA tests for CIL headroom on the basis of the two value zones identified from residential sales values in Teignbridge. The testing involves the varied typologies of site used in the VA using the three identified benchmark values. Affordable housing provision ranging from none to 25% is also taken into account. Broadly speaking, for sites in Zone 1 - Newton Abbot, Dawlish and Chudleigh the results show considerable headroom for a CIL for conventional housing. In contrast, for flats and older persons housing, including sheltered and extra care housing, there is no headroom available for a CIL. The highest headroom of £900 is for a development of 70 units on a greenfield site (with lowest benchmark value) and 20% affordable housing. The lowest is £147 for an 8-dwelling scheme on a greenfield site (highest benchmark value), with both 20% and 25% affordable housing. In the vast majority of cases, the CIL headroom amounts to several hundred pounds.
28. For sites in Zone 2 - Teignmouth, Bovey Tracey, Exminster, Rural and SW Exeter, the same headroom conclusion applies with the exception of flats and sheltered housing on brownfield sites where the VA shows scope for a limited CIL in some instances. The highest headroom of £1,385 is for a 70 unit scheme on a greenfield site, with the lowest benchmark value and 30% affordable housing. Excluding flat schemes, the lowest is £485 for an 8 unit development with 30% affordable housing, with the highest benchmark value. For flats, the largest headroom is £209 for a brownfield site flat scheme of 15 units in the lowest benchmark value area with 20% affordable housing.
29. In both value zones, the evidence is that specialist housing is generally not viable except in the higher value zone, but even there the headroom is limited to £150 or less for sheltered housing.
30. In the VAA, the residential CIL headroom assessment is updated. Slightly confusingly, the data is presented on the basis of £/dwelling rather than £/sq.m. In essence, the testing shows that standard housing types to a Net Zero standard are viable with 20 and 25% affordable housing in Zone 1 and with 25 and 30% affordable housing in Zone 2. These conclusions apply to all three benchmark land values. As expected, the headroom for CIL is greatest in Zone 2 where higher values are expected. For specialist housing there is a mixed picture. Sheltered housing has limited headroom in Zone 2 with no affordable housing included. Rural exception sites have headroom



for CIL in Zone 2, even with 70% affordable housing. The local exception site in Zone 1 has headroom in Zone 1 with 25% affordable housing in the two lowest value benchmark areas.

31. The VAA also applies sensitivity testing to the strategic sites. For Bradmore, lower dwelling numbers and a revised mix of dwellings are tested as suggested by the site promoters. Peamore & West Exe is tested using a higher cost base and additional infrastructure costs. In both cases, the evidence is that there is headroom for CIL but the headroom is much more limited at Bradmore where it is dependent on low benchmark values.
32. For non-residential development, the VA notes that occupiers/owners may bring forward development to meet their specific requirements. The conclusions reached in the VA clearly cannot take such bespoke situations into account and are based on sales/rents applicable to a commercial occupier. The VA concludes that, assuming a 50% buffer, only retail development in the form of a small local store, a supermarket or an out-of-town retail comparison store would be viable with a CIL charge. For a small local store, the CIL potential with a 50% buffer is £117, for a supermarket it is £307 and for an out-of-centre retail park it is £239.
33. The VAA updates the non-residential assessment and concludes that only supermarkets and out of centre/retail park comparison stores are viable with a CIL charge. Three Dragons calculate that, with a 50% buffer, the potential CIL for a supermarket would be £149 while for an out-of-centre retail park the figure would be £181.
34. The work by Three Dragons notes the existing CIL that applies in Teignbridge. In the VA, for standard residential development Three Dragons recommend the use of the two value zones with rates of £120 in Zone 1 and £210 in Zone 2. These recommendations are qualified to the extent of a possibility of up to £160 in some parts of Zone 1 and up to £250 in Zone 2. For flatted development and all forms of older persons housing, the recommendation was for a nil rate. In making these recommendations, Three Dragons have had regard to a viability buffer of 50% and the common approach of using up to 5% of GDV as a reasonable viability indicator. In relation to Zone 1, Three Dragons take into account the need to avoid endangering the deliverability of housing in Newton Abbot, which is scheduled for a substantial amount of development.
35. In the VAA these recommendations are broadly repeated. The VAA adds an observation that in the rural areas and villages the current rate is £300 and suggests that the Council may wish to take a cautious approach for rural allocations, as these allocations are important to delivering the Local Plan objectives. For the three strategic sites, the recommendations are based on a 50% buffer. For Bradmore, a range of £54 to £78 would represent 2% or less of GDV. For Markham Village and Peamore & West Exe, the VAA records a range of £142 - £237 based on 3% to 5% of GDV. The recommendation is for a charge at the lower end of the range in the light of the scale of the s106 agreements already identified.

36. The proposals by the Council involve a somewhat complicated approach with, for example, five zones and different rates for open market houses on rural exception sites depending on whether the sites are identified under Local Plan Policy H7 or Policy H8. Having said that, the Council's proposed Charging Schedule broadly follows the recommendations made by Three Dragons.

**Has evidence been provided that shows the proposed rate or rates would not undermine the deliverability of the plan (see NPPF paragraph 34<sup>10</sup>)?**

37. For residential development the most significant challenges relate to the strategic sites of Peamore & West Exe/Markham and Bradmore. The most limited headroom identified by Three Dragons relates to Bradmore. For this strategic site, the least headroom (£217/dwelling) is found where the BLV is £281,864 and the number of dwellings is reduced on the basis of information from the site promoters. This BLV is based on fifteen times agricultural value. The proposed rate of £70 could undermine the deliverability of this critical site if the BLV for the land is £281,864. Three Dragons argue that the BLV for Bradmore should be £188,931 which is at the low end of the scale. If the low benchmark is applied the headroom is calculated in the VAA to be £12,559/dwelling. The difference in the benchmark figures is accounted for by the multiple of agricultural use value that is used. For the low BLV the multiple used is ten times, for the high BLV it is fifteen times.

38. Given how important Bradmore is to the delivery of the Council's housing strategy, it is considered that a more cautious approach is necessary. Relying on the lowest BLV is a risk, particularly as Three Dragons record that locally large site viability negotiations have used 12 times agricultural value as a suitable benchmark. In addition, there is a challenge to the existing use value of agricultural land used by Three Dragons. Even if the agricultural land value used by Three Dragons is accepted, the 12 times premium leaves virtually no scope for a viability buffer, assuming that the site can accommodate a little over 700 dwellings as suggested by the site promoter. With the higher number of dwellings (1,022) used by Three Dragons in the base test, the headroom identified is a little over £10,000 per dwelling. For a 100sq.m dwelling, this would provide a viability buffer well below the 50% favoured by Three Dragons in their viability assessment.

39. My conclusion is that there is a significant risk to the delivery of housing on the Bradmore site if the CIL is set at £70. Bradmore should be treated as a strategic site subject to a nil CIL. **(EM1)** This is not an unusual way of dealing with strategic sites where viability may be challenging and it has the advantage of giving the Council more scope to get site specific infrastructure funded through s106 agreements. At the hearings, I was told that the current housing market in the area is very weak with developers struggling to achieve sales even with incentives. This reinforces my view that caution is needed in relation to the Bradmore site.

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<sup>10</sup> Paragraph 35 of the December 2024 NPPF.

40. The Markham and Peamore & West Exe strategic sites are not in the same position as Bradmore. The Peamore & West Exe site has been subject to sensitivity testing using higher build and infrastructure costs. Against all benchmark values these sites show considerable CIL headroom, even allowing for a buffer of 50%. The proposed £150 CIL for these sites would not, in my judgement, undermine the delivery of housing on them.
41. For the range of other standard housing typologies, the evidence provided by Three Dragons shows that, in virtually all instances, there is considerable headroom for the proposed CIL charges allowing for a 50% buffer. For standard housing, the proposed CIL is less than 5% of GDV. Flatted developments and specialist housing, including extra care and sheltered accommodation, do not provide headroom for a CIL and the proposed nil charge is appropriate.
42. Chesters Harcourt (CH), on behalf of CG Fry and Sons Ltd, Bloor Homes and Redrow Homes correctly describes the concept of assessing the viability of development sites for CIL purposes as a simple one. In essence, the concept involves assessing whether the estimated BLV value of the land is lower than the calculated residual value. If the residual value exceeds the BLV, there is viability headroom for a CIL charge. CH argue that the Three Dragons model is fundamentally flawed because the model does not recognise that the BLV is not the same as the value of the land. CH describe the BLV as “merely a theoretical figure against which land value is then tested”. CH claim that, by not recognising that BLV is not the same as land value, the financing of the land value is wrong. CH contention is that the headroom is additional land value that will have to be paid by a developer acquiring a site and/or CIL to be paid to the Local Authority and therefore has to be financed. The argument is that by not properly accounting for the finance costs of all of the land and CIL, the Three Dragons model is fundamentally flawed.
43. I agree with Three Dragons that the CH argument appears to be that the BLV should be effectively ignored. This argument by CH flies in the face of the Governments’ viability advice that “viability assessments should be undertaken using benchmark land values derived in accordance with this guidance”.<sup>11</sup> This is what the Three Dragons model does. The argument also contradicts the approach to testing the viability of a CIL payment that has been used and tested in numerous CIL viability assessments in many different areas over a number of years. I do not consider that the Three Dragons model is fundamentally flawed for the reason given by CH.
44. In response to a representation from CH that Three Dragons’ VA work does not provide adequate detail, Three Dragons prepared additional information regarding how their figures are calculated for the Peamore & West Exe site. CH challenge these inputs on several counts, including the period over which social units would be sold, when a scheme would become cash positive, how infrastructure costs are spread over the development period, and the developer return on First Homes. I doubt the usefulness of the additional

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<sup>11</sup> See PPG Reference ID: 10-014-20190509.

information provided, as present indications are that the planning of the strategic sites is at a very early stage with development unlikely to occur until 2030 or later. In the VAA, Three Dragons make the point that none of the strategic sites are sufficiently advanced to provide fully designed and costed development programmes.

45. CIL viability assessments are based on a broad test of viability using appropriate available evidence. Detailed evidence such as cash flow and other points raised by CH, that are essential when project planning a specific development, go beyond what is required in CIL viability work. Three Dragons provide a satisfactory explanation of the assumptions made for the inputs at this stage. For these reasons, I do not accept that the CH challenge to the inputs undermines the credibility of the Three Dragons' work.
46. It is not surprising that there is no substantial challenge to the proposals for non-residential development. For retail development outside identified town centres, the draft Charging Schedule sets a rate of £150. This is lower than the current rate. A nil rate applies to all other non-residential developments. Clearly the delivery of proposals for non-residential developments would not be undermined by the suggested CIL.
47. In setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in Teignbridge. The Council has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area. It may be an appropriate time to consider any revision to the charge towards the end of the decade when planning of the identified strategic sites is expected to be much more advanced.
48. I consider the viability assessment to be robust and conclude that, other than the Bradmore rate, the residential and retail rates proposed would not threaten delivery of the Local Plan. The proposed rates are justified therefore.

## Overall Conclusion

49. I conclude that the draft Teignbridge Community Infrastructure Levy Charging Schedule, subject to the making of the modification set out in **EM1**, satisfies the drafting requirements and I therefore recommend that the draft Charging Schedule be approved.

*Keith Holland*

Examiner

## Appendix

Examiner Modification (EM) recommended in order that the Charging Schedule may be approved.

<b>Examiner Modification</b>	<b>Page no./ other reference</b>	<b>Modification</b>
EM1	Page 39 CIL Charging Schedule	Charging Zone 3: Bradmore New Neighbourhood (GC13): Delete <del>£70</del> m2 and replace with <b>£0</b> m2.