BIDWELLS

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Date:	27/03/2026

Greater Cambridge Shared Planning Service
Cambourne Business Park,
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Dear Sir/Madam,

BIOMED REALTY - REPRESENTATIONS ON DRAFT CAMBRIDGE CIL CHARGING SCHEDULE

This letter sets out our representations in response to the Cambridge Community Infrastructure Levy ('CIL') Draft Charging Schedule, prepared by Bidwells on behalf of Biomed Realty.

CIL is recognised as a potential important source of funding for infrastructure that could support wider development in Greater Cambridge. These representations do not seek to oppose the principle of a draft CIL charging schedule for Greater Cambridge but seek to ensure it is well timed, necessary and that reasonable rates are proposed, to ensure CIL rates do not risk the viability and delivery of development.

The absence of reference to other parts of the CIL evidence base within these representations should not be taken as agreement to their content, and we reserve the right to make further comments on the evidence at examination stage.

These representations have been prepared with regard to the relevant legislative framework including the Town and Country Planning Act (1990) (As amended), Planning Act (2008) and CIL Regulations (2010) (as amended) in addition to the guidance set out in the PPG. With relevance to setting CIL charging schedules, the following guidance has been considered:

- An Authority must strike an appropriate balance between additional investment to support development and the potential effect on the viability of developments… charging authorities should be able to show and explain how their proposed levy rates will contribute towards implementation of the relevant plan (PPG Paragraph 010).
- The regulation allows charging authorities to apply differential rates in a flexible way, to help ensure that viability of a development is not put at risk (PPG Paragraph 022).
- If the evidence shows that the area includes a zone, which could be a strategic site, which has low, very low or zero viability, the charging authority should consider setting a low or zero levy rate in that area. The same principle should apply where the evidence shows similarly low viability for particular types and/or scales of development (PPG Paragraph 022).
- A charging authority must use 'appropriate available evidence' (as defined in the section 211(7A) of the Planning Act 2008) to inform the preparation of their draft charging schedule (PPG Paragraph 020)

Background

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Biomed Realty - Cambridge Draft CIL Representations

Biomed Realty are a highly experienced investor and developer to the region's innovation economy with a proven track record of delivering high quality science and technology spaces.

Of relevance to this consultation, Biomed Realty have been successful in securing planning permissions for high-quality mixed-use scheme at Cambridge International Technology Park and Granta Park. These planning applications have secured permission and agreed the associated S106 agreement.

It is recognised that this schemes were consented prior to the adoption of the CIL charging schedule, however, Biomed Realty recognises that any uplift as part of any potential amendment application would be subject to a significant CIL charge of £175 per sqm, as well as any potential developments that may be delivered in future. This level of charge would also have significant implications for scheme viability and had not been previously accounted for.

Viability Implications

The viability evidence prepared by BNPP is fundamentally inaccurate to assess the true viability implications of the proposed CIL rates. There are significant reservations regarding the basis on which the draft charges have been derived and the assumptions used to support them. The evidence lacks the robustness and market realism required to demonstrate that development across Greater Cambridge can viably sustain the proposed levy.

CIL is intended to be calibrated so that it does not render development economically unviable. The viability evidence fails to provide a credible assessment of the actual impact the rates would have on development in Greater Cambridge. The modelling does not reflect real market conditions, and the assumptions used, particularly around costs, values, developer margins and infrastructure requirements. The assumptions therefore bear little resemblance to the realities of development delivery in the area. It is also unclear whether the appropriate developer engagement required under paragraph 015 of the PPG has taken place, calling into question whether the evidence is proportionate, representative or compliant with national guidance.

Moreover, the cost assumptions within the appraisal are materially inaccurate. Land values, construction costs and design expectations in Cambridge are considerably higher than those assumed in the analysis, resulting in the unrealistic conclusion that development can absorb larger CIL payments than is actually feasible. In practice, introducing CIL at the levels proposed would force trade-offs that directly undermine policy objectives, leading to reductions in sustainability performance, design quality and affordable housing provision. These impacts would materially prejudice scheme deliverability and, ultimately, reduce the likelihood of much-needed development coming forward.

To summarise, introducing a CIL charge in addition to extensive site-specific policy requirements will impose further and substantial pressure on viability, increasing the risk that essential project funding is withdrawn or schemes become undeliverable. This outcome is particularly concerning given the Government's ambitions for accelerated growth in the Greater Cambridge area and the well-established challenges associated with bringing forward development in a high-cost, high-value market. Experience from other comparable locations, illustrates the real and immediate risk of over-burdening development in areas with similar cost profiles. Most notably London, where CIL freezes are due to be implemented in response to viability pressures.

Timing

We also raise question regarding the timing of the consultation on the Draft Charging Schedule given the wider changes and uncertainties currently affecting development across Greater Cambridge. Proceeding at this time risks adoption of a CIL charging schedule that is misaligned with emerging policy, funding structures and infrastructure priorities.

Firstly, the on-going consultation relating to the centrally-led Greater Cambridge Development Corporation introduces significant uncertainty around future infrastructure delivery responsibilities, potential updates to infrastructure planning and the possibility of new funding streams which may address the existing funding gap, without reliance on CIL. Until these matters are much clearer, it is premature to progress a Charging Schedule that may quickly become outdated or incompatible with future infrastructure delivery priorities.

Greater clarity is needed on how CIL will align with the Spatial Development Strategy (SDS) being prepared by the Mayor of Cambridgeshire and Peterborough. The SDS is expected to identify strategic infrastructure requirements and may introduce a Mayoral CIL as an additional funding mechanism, thereby creating a further layer of developer contributions and increasing pressure on development viability. This uncertainty is further compounded by the Local Government Reorganisation, the outcome of which could fundamentally alter governance arrangements, funding responsibilities and the wider planning framework. Despite this, within the CIL consultation documents, there has been no comment on the creation of a coherent strategy to address the risks associated with the potential for conflicting or duplicated contributions.

In addition, the emerging planning context raises a number of questions about the appropriateness of progressing CIL at this time. As outlined in the CIL Supporting Statement, the draft S106 Planning Obligations SPD for Greater Cambridge is expected to be adopted imminently and is set to increase S106 contributions to reflect rising costs of infrastructure. The SPD should bring about further clarity rather than increase costs and imposing a CIL charge concurrently with the adoption of the SPD would substantially compound viability pressures already highlighted elsewhere in these representations.

Finally, the evidence submitted regarding transport infrastructure requirements relies on the two adopted 2018 Local Plans. However, with the draft Greater Cambridge Local Plan now well advanced, this evidence is, by definition, time limited and is at risk of becoming increasingly misaligned with the emerging policy requirements and any revised approach to infrastructure prioritisation and delivery. In these circumstances, there is a clear risk that the draft CIL Charging Schedule is advanced on the basis of infrastructure assumptions that will not reflect the new policies or infrastructure delivery requirements of the new Local Plan. It is a CIL that will inherently become out of date very quickly if adopted.

It would therefore be preferable to align the adoption of the CIL Charging Schedule with the adoption timetable for the emerging Greater Cambridge Local Plan, so that the infrastructure evidence can be tested against the plan that will ultimately guide development in the area in the near future. In addition, the Charging Schedule should be coordinated with the emerging Spatial Development Strategy, the implications of Local Government Reorganisation, and the evolving role and remit of any Development Corporation. As these take clearer shape, they may alter infrastructure responsibilities, introduce or reshape funding mechanisms (including the potential for additional levy layers), and affect the prioritisation and deliverability of infrastructure projects.

Governance and Distribution of CIL Payments

The governance surrounding how CIL payments are managed and distributed across the district remains unclear, particularly ensuring that growth is supported equitably. Guidance on how contributions will be allocated and distributed fairly across the district to avoid disproportionate investment in certain areas will need to be addressed. To support a district-wide vision for balanced growth, clearer and more robust guidance is needed to establish transparent governance of CIL and ensure that funds are distributed fairly, proportionately and where they support development delivery across all parts of the district.

Cumulative Impacts

As set out above, the draft Greater Cambridge Local Plan introduces a suite of new and increasingly demanding policy requirements which, even in isolation, impose significant additional viability pressures on development. In a context where development costs in Cambridge are already exceptionally high and expectations around design quality are rigorous, the introduction of further policy requirements such as Passivhaus and BREEAM Outstanding, affordable workspace provision, 20% Biodiversity Net Gain, and minimum tree canopy cover could substantially elevate the costs for all forms of development.

Against this backdrop, the imposition of a CIL charge would further erode the ability of sites to meet these ambitious policy demands and would materially constrain the Council's own ability to deliver the objectives of the emerging Local Plan. The cumulative effect of these policy burdens, coupled with CIL, risks creating a position where schemes simply become unviable. In such circumstances, development will either fail to come forward at all, or critical elements such as design quality, sustainability performance, or biodiversity enhancements will inevitably be sacrificed. This outcome would be directly contrary to the local and central aspirations for high-quality and sustainable growth in the region.

This all acts to create uncertainty now in schemes that could start to come forward because the upcoming financial burden of the planning system is unknown, but on a direction-of-travel to make it more expensive to deliver development in Greater Cambridge.

Infrastructure Funding Requirements

The Infrastructure Statement submitted in support of the Draft CIL Charging Schedule acknowledges the importance of transport infrastructure to the delivery of growth across Greater Cambridge. While it adequately quantifies the funding requirements, the strategy does not provide a clear justification for the specific projects identified.

The Statement indicates that the proposed infrastructure programme 'builds on' the adopted 2018 Local Plans for Cambridge City and South Cambridgeshire. Those Plans, in turn, relied on the Transport Strategy for Cambridge and South Cambridgeshire (adopted in 2014). In parallel, the Greater Cambridge City Deal was agreed to support delivery of transport schemes; however, the City Deal programme was never formally assembled to support the emerging Local Plans at that time. As a result, the current project list appears to be carried forward from a historic funding programme, rather than derived from a demonstrable assessment of necessary transport infrastructure.

On this basis, the infrastructure schedule is underpinned by evidence that is materially out of date and insufficiently robust for the purposes of setting a Charging Schedule. The transport context, costs and deliverability have changed significantly since 2014, and this must be reflected in up-to-date, plan-led evidence that meets the CIL requirement of using 'appropriate available evidence' (PPG Paragraph 020). In its current form, the Infrastructure Strategy does not sufficiently evidence the need of the transport projects it relies upon.

Further, the Infrastructure Delivery Strategy acknowledges that CIL is expected to generate no more than £50 million. Even if fully realised, this would reduce the identified funding gap only marginally, leaving a residual shortfall of £222.371 million, with no credible funding source or delivery mechanism identified to bridge that gap. Given the scale and cost of the projects listed (including those currently paused), £50 million would fund only a small fraction of the identified projects. It is therefore unclear how the Draft Charging Schedule can be justified by reference to an infrastructure strategy that is neither adequately evidenced nor demonstrably deliverable.

Exceptional Circumstances and NIL CIL Payments

It is imperative that a Charging Authority introduces an Exceptional Circumstances Relief ('ECR') policy at the point of adopting the Charging Schedule. Under Regulation 55 of the CIL Regulations (2010) as amended, ECR exists precisely to prevent CIL from having an unacceptable impact on the economic viability of development. However, the relief is only available where the Charging Authority has proactively chosen to adopt an ECR policy from the outset. If the Authority refuses to implement such a policy at this time, then no developer, regardless of the severity of viability constraints or the strategic importance of a scheme, will have the ability to apply for this relief.

Given that ECR cannot be claimed alongside other reliefs and cannot be accessed retrospectively, failing to adopt the policy at this stage effectively removes the mechanism entirely. This would undermine the fundamental purpose of Regulation 55, which is to ensure that CIL does not render development undeliverable. The Charging Authority must therefore adopt an ECR policy at this time to ensure that a legitimate and nationally recognised viability safeguard remains available for circumstances where CIL would otherwise threaten the deliverability of critical schemes.

It is also considered essential that the Charging Authority fully explores the application of a reduced, or indeed nil, CIL rate for strategic sites. These sites are inherently complex, often characterised by unique constraints, significant upfront infrastructure requirements, and bespoke delivery challenges that cannot be captured through standardised viability assumptions. At present, the flexibility afforded through negotiated Section 106 agreements provides an established and effective route for securing the extensive on-site and off-site infrastructure necessary to make such schemes acceptable in planning terms.

Despite this, these strategic sites continue to shoulder substantial S106 obligations and imposing an additional blanket levy risks rendering them undeliverable. Given their importance to achieving the spatial strategy of the current and emerging Local Plan, and the Government's broader growth ambitions for the area, it is imperative that the Charging Schedule does not jeopardise their viability. To ensure these key sites can progress, they should either be fully exempt from CIL or subject to a significantly reduced rate that reflects their unique characteristics and heavy infrastructure burdens. This approach would align with national guidance encouraging differential rates where necessary to avoid undermining development viability set out in PPG Paragraph 020.

Conclusion

The increased and quicker delivery of transport infrastructure across Greater Cambridge is an important matter to resolve and while overall support is offered to the principle of adopting a CIL charging schedule, there are serious reservations regarding the current consultation and its timing, in light of the evolving planning context in Greater Cambridge, and adding to the cumulative financial burden on developments.

The viability evidence has been reviewed and is not considered to be robust or sufficiently reflective of real development conditions in Greater Cambridge, and as such cannot credibly justify the proposed CIL rates. The combined effect of unrealistic assumptions, and a failure to account for the area's characteristically high costs presents a substantial risk that development will be rendered unviable.

There are also concerns regarding the Infrastructure Delivery Strategy, which relies on outdated evidence and assumptions, while the limited CIL income expected of around £50 million would make a negligible contribution to the substantial £222 million funding gap.

Finally, considering the aforementioned impacts on viability, it is essential that the Council seek to introduce an Exceptional Circumstances Relief policy to ensure any CIL does not render development undeliverable.

Kind regards,

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