



Community Infrastructure Levy Consultation Report – Statement of Modifications November 2018

The Council consulted upon the Statement of Modifications in accordance with the Community Infrastructure Levy Regulations 2010 (as amended), in particular Regulation 19(1)(D). The consultation ran from the 29 October to 26 November 2018.

The consultation comprised:

- Statement of Modifications (October 2018); and
- The modified the draft charging schedule.

There were 40 respondents who submitted representations to the consultation. These comprised 3 organisations and 37 members of the public. In addition to these Natural England and Highways England responded with no comments. 39 of the 40 comments relate to the proposal to split North Poole into a separate residential charging zone with a lower CIL charging rate. There were no comments on the proposed increase in CIL rates due to indexation.

The responses have been grouped to avoid repetition and summarised in the table below. This document simply provides the highlights of the consultation feedback and the full consultation responses will be passed to the examiner for his consideration. The full responses are available on the Council's website at <https://www.poole.gov.uk/cil> .

Summary of responses to Statement of Modifications

Representor	Position	Summarised Comment	Council response
016 Sport England	Support	Supports all proposed modifications	Support noted.
010 Richborough Estates, 012 WH White Ltd	Object	Welcome the separation of North Poole into separate charging area in Zone D. However disagree with a number of assumptions made in the evidence documents which have informed the proposed CIL rate of £175 for Residential Charging Zone D. Whilst some areas of agreement are now acknowledged and will be reflected in a statement of common ground, a number of areas of disagreement remain, principally around sales values, SANGS and Public Open Space, Infrastructure and Section 106 costs. The implications of this are that the sensitivity testing has artificially inflated the rate at which CIL can be set and the proposed rate would put at risk the viability of the sites. The Local Planning Authority has failed to strike an appropriate balance under para 14 of the Regulations 2010, as amended.	Document ED23 reviews the evidence submitted by Richborough Estates and WH White Ltd and led to a reduction in the proposed CIL rate from £230 sq. m to £175 sq. m for North Poole. Since the preparation of ED23 the Council has firmed up some of the possible S106 costs which for Site UE1 are £2,300 per home lower and for Site UE2 £87 per home higher than the amount previously tested in ED23. This illustrates that the assumptions used in ED23 are robust. No action required.
019 Mr & Mrs Newman, 013 Cllr M Pope, 021 Mr J Orme, 022 Mrs H Price, 024 Mr H Johnson, 051 Mrs V Arkell, 042 Mr D Arkell, 044 Mr D Cox, 046 Mr S Philips, 053 Mrs S Smith, 025 Mr C Lane, 026 N Gundry, 027 Mrs V Armitage, 030 Mr Ward, 031 Mr & Mrs Maunder, 033 Mrs P Zimmerman, 034 Mrs A Lane, 035 Mrs M Morris, 036 Mr & Mrs Knowles, 037 Mrs A Hill, 038 Mrs J Squires, 039 Mrs M	Object	Object to removing North Poole from Zone A into lower charging zone.	Since the original viability work was undertaken there have been a number of new housing developments nearby. The sales data from these sites provides up-to-date robust evidence of likely sales prices for the proposed developments in North Poole. This new evidence shows that sales values in nearby settlements to North Poole are lower than the sales values in the Lilliput, Branksome Park, Sandbanks and Canford Cliffs area. Lower sales values have a knock on effect in reducing CIL, as there will be less development profit from which to extract CIL. New testing set out in examination document ED23 indicates that a lower rate of £175 is more appropriate for North Poole than the £230 rate for the Lilliput, Branksome Park, Sandbanks and Canford Cliffs area. The proposed change in rate is therefore evidence based. No action required.

Representor	Position	Summarised Comment	Council response
Pitt, 040 Mr A Logan, 041 Mrs K Todd, 028 Mr F Ahern, 043 Mr D Calvert, 047 Mr L Slatford, 048 Mrs M Slatford, 049 Mr R Slatford, 050 Mr D Stenning, 013 Cllr M Pope, 029 Mr M Barnett, 033 Mrs J Zimmerman, 045 Mrs J Leaver, 052 Mr & Mrs Lister, 032 Mr Chesterfield			
043 Mr D Calvert, 047 Mr L Slatford, 048 Mrs M Slatford, 049 Mr R Slatford, 050 Mr D Stenning, 013 Cllr M Pope, 029 Mr M Barnett, 030 Mr Ward, 031 Mr & Mrs Maunder, 033 Mrs J Zimmerman, 045 Mrs J Leaver, 039 Mrs M Pitt	Object	Council has not approved removal of North Poole from Zone A and reduced CIL rate.	The Statement of Modifications is a consultation to seek views and is not a decision to set a new CIL rate. The examination process will determine the appropriate rate. On 23 July 2018, the Portfolio Holder for Planning, Regeneration and Transportation approved the submission of the CIL Draft Charging Schedule for examination. As part of the decision he delegated authority to the Head of Growth & Infrastructure in consultation with the Portfolio Holder for Planning, Regeneration and Transportation to advise on any main (non minor) modifications arising from the Examination and to consult upon these in accordance with the CIL Regulations 2010 (amended). Following the examination and examiner's report Council will make the final decision on adoption of the CIL Charging Schedule. No action required.
022 Mrs H Price, 053 Mrs S Smith, 024 Mr H Johnson, 026 N Gundry, 031 Mr & Mrs Maunder, 028 Mr F Ahern, 023 Mr W Gray, 044 Mr D Cox, 047 Mr L Slatford, 048 Mrs M Slatford, 049 Mr R Slatford, 050 Mr D Stenning, 025 Mr C Lane, 034 Mrs A Lane, 052 Mr & Mrs Lister, 039 Mrs M Pitt	Object	Impact upon local community from the lower revenue. Infrastructure improvements are needed if new houses are to be built.	Development funds infrastructure in two ways, through the payment of CIL to the Council and through the developer signing a legal document to provide planning obligations to mitigate the harm arising from the development, such as improving schools, doctor's surgeries etc. The Council will negotiate planning obligations from the remaining development profits after CIL has been paid. No action required.
020 Mr T Barnett	Object	Objects to all proposed modifications.	Comment noted. No action required.

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028 Mr F Ahern	Object	While Zones A and D are different in nature, they are different in their amenity value	CIL is separated into areas (zones) on the basis of sales values, not amenity value. No action required.
028 Mr F Ahern, 023 Mr W Gray	Object	No CIL will be paid on the 40% affordable housing so a reduction is not warranted.	CIL is calculated from the development profit remaining after planning obligations such as the requirement for 40% affordable housing has been deducted. The lower CIL rate reflects new evidence of estimated sales values of homes to be sold on the open market. No action required.
053 Mrs S Smith	Object	Green Belt land is highly desirable and will sell at a premium rate	The Council has used recent evidence of sales values from Holmwood Park, a Green Belt site on the edge of Ferndown, which has similar characteristics as North Poole. No action required.
052 Mr & Mrs Lister	Object	The CIL on "brownfield" sites should be set at zero. This would provide an incentive for developers to prioritise building on "brownfield" sites in urban Poole and help with the much needed investment in Central Poole. This action will not affect the much needed provision of low-cost affordable housing in Poole as there is a planning requirement for 40% affordable housing in any development regardless of whether it is on "brownfield" sites or Green Belt Land.	The proposal is to have a zero CIL rate for brownfield sites within the Twin Sails Regeneration Area in Poole town centre as viability is much tighter than elsewhere in Poole. Evidence suggests that other brownfield sites can afford to pay CIL and these charges are set out in the Draft Charging Schedule. The greenfield sites in North Poole are able to afford to pay CIL, as well as other planning obligations such as affordable housing, schools, doctors surgeries, etc. No action required.