



Community Infrastructure Levy Consultation Report – Statement of Modifications October 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 3 September to 1 October 2018

The consultation comprised:

- Statement of Modifications;
- The modified the draft changing schedule; and
- Evidence base document ED08 further strategic site testing or UE1 north of Merley and UE2 north of Bearwood (June 2018).

There were 9 respondents who submitted representations to the consultation summarised below:

Summary of responses to Statement of Modifications

Representor	MM	Position	Summarised Comment	Council response
018 Natural England	MM1-MM9	Support	No objections to the modifications	Support noted.
016 Sport England	MM1-MM9	Support	Supports all proposed modifications	Support noted.
012 WH White Ltd	MM1-MM9	Object	Objects to the proposed modifications in so far as they fail to remedy the deficiencies highlighted in WHW's previous consultation response dated 20th September 2017	Comment noted.
010 Richborough Estates Ltd	MM1-MM9	Object	No comments to make specifically in response to the statement of modifications but maintain our objection to the proposed CIL charge rate of £200 per sq m being applied to the Strategic Urban Extensions in Zone A.	Comment noted.
013 Cllr M Pope	MM2	Object	This modification means that a CIL rate of £200 has not been applied to 324 homes South of Magna Road, disadvantaging the community.	Comment noted.
015 West Quay Developments	MM4	Support	Supports proposed CIL modification for the Twin Sails Regeneration Area to NIL rates. States that the reduction in CIL provides the incentive to encourage the Twin Sails site to come forward. Explains that currently viability is critical for the site due to a 13.8% increase in construction costs and significant abnormal development costs from specialist foundation design. Also states that assessments of the gross development value shows that costs will not have been compensated despite strengthening market conditions.	Support noted.
017 Bourne Leisure	MM4	Support with amendments	The modification to the first CIL category Residential (Use Class C3) Excluding retirement housing should also state, for the avoidance of doubt, that it excludes <i>purpose-built holiday accommodation within holiday parks</i> . Concerned that the CIL charging schedule has not tested the viability of such holiday accommodation, that there is no reference to this in the evidence base and that the charging schedule is unclear as to what types of residential development should be liable for CIL.	Purpose built holiday accommodation within holiday parks do not fall within the C3 use class, since their purpose is to provide short stay tourist/visitor accommodation only. The park owner gives contractual permission only for the visitor to stay for a limited time as a licensee, as opposed to a lessee who has a legal interest in the land. Therefore it is not necessary to clarify that such holiday accommodation are excluded from residential use within the modifications, nor to test the viability for this type of accommodation in terms of CIL.

Representor	MM	Position	Summarised Comment	Council response
002 Lands Improvement Holdings and Gallaghers	MM5	Object	The modified residential charging zone map is incorrect and inconsistent with the viability evidence base which demonstrates that a CIL charge is not viable for redevelopment at the former power station site. The nil charge zone should extend to the entire Twin Sails Regeneration Area.	Acknowledge that land around the junction of Riglar Road and Blandford Road is part of the wider land promotion within the Twin Sails Regeneration Area. Action: consider amending charging zones to ensure the entire development site is within a single zone.
002 Lands Improvement Holdings and Gallaghers	MM6	Object	The modified retail charging zone map is incorrect and inconsistent with the viability evidence base which demonstrates that a CIL charge is not viable for redevelopment at the former power station site. The nil charge zone should extend to the entire Twin Sails Regeneration Area.	Acknowledge that land around the junction of Riglar Road and Blandford Road is part of the wider land promotion within the Twin Sails Regeneration Area. Action: consider amending charging zones to ensure the entire development site is within a single zone.

Summary of responses to evidence document ED08 further strategic site testing or UE1 north of Merley and UE2 north of Bearwood (June 2018)

Representor	MM	Position	Summarised Comment	Council response
010 Richborough Estates Ltd	ED08	Object	Sets out detailed evidence challenging ED08. Concern that there is a lack of supporting evidence for the assumptions relied upon such that the proposed levy of £200sqm is inaccurate for the strategic urban extensions UE1 and UE2.	Acknowledge the concerns raised. Action: Meet with the objector and undertake further evidence gathering to assess the concerns.
012 WH White Ltd	ED08	Object	Sets out detailed evidence challenging ED08. Concern that there is a lack of supporting evidence for the assumptions relied upon such that the proposed levy of £200sqm is inaccurate for the strategic urban extensions UE1 and UE2.	Acknowledge the concerns raised. Action: Meet with the objector and undertake further evidence gathering to assess the concerns.
014 AONB	ED08	Support	The amendments do not impact upon the AONB. Suggests that the agricultural land values are reviewed to ensure that these are correct (since such sites can attract a premium). Concerned that the CIL contribution for heathland is remote from the AONB and does not mitigate impacts on it. Suggests instead that CIL should contribute to conservation and enhancement of landscape and beauty of the area.	Support noted. CIL is used for infrastructure and cannot be used for any other use or anything that is not on the Regulation 123 list.