

Chichester Community Infrastructure Levy Preliminary Draft Charging Schedule

Statement of Consultation



Preliminary Draft Charging Schedule - Statement of Consultation

1. Introduction

- 1.1 The purpose of this document, in line with the Community Infrastructure Levy Regulations (as amended), is to set out the consultation methods and engagement with the local community that has taken place in relation to the development of the Council's Community Infrastructure Levy (CIL).
- 1.2 In order for CIL to be adopted, it is required by the CIL Regulations 2010 (as amended) that the Council holds a minimum of two rounds of public consultation.
- The first round of public consultation was the Preliminary Draft Charging Schedule (PDCS), which was carried out from 17 March to 23 April 2014.
 - The second round of public consultation will be on the Draft Charging Schedule (DCS).
- 1.4 Regulations 15 and 16 of the CIL Regulations specify the consultation bodies that the Council must consult for the PDCS and DCS. The Council has consulted beyond the statutory minimum requirement to ensure that a wider range of consultation bodies were given the opportunity to make representations.

2. Consultation on Preliminary Draft Charging Schedule

- 2.1 The purpose of the PDCS was to allow developers, landowners, businesses and local communities to make representations on the initial proposed draft charging schedule for a CIL in the area covered by the new Chichester Local Plan. This was the first stage of consultation required by the CIL Regulations. The consultation on the PDCS was held between 17 March 2014 to 23 April 2014.
- 2.2 The Council complied with Regulation 15 of the CIL Regulations in terms of the requirements for consultation on the PDCS. Regulation 15 sets out that a charging authority must send a copy of the PDCS to each of the consultation bodies, and invite them to make representations on it. In addition, the Council has also invited representations on the PDCS from persons who are residents or carrying on business in the new Local Plan area, including voluntary bodies and bodies that represent the interests of persons carrying on business in the new Local Plan area.
- 2.3 The following methods of consultation were used:
- Public notice in the Chichester Observer 13/03/2014 (Appendix 3);
 - Letter/e-mail notification to the consultees; and
 - Information about the consultation, including documents and how to respond, on the Council's public website.
- 2.4 The locations of where the PDCS was made available for inspection:
- Chichester District Council's Main Office,
 - Chichester District Council's Area Offices
 - Local Libraries during opening areas.

Hard copies were made available to purchase upon request.

2.5 In addition to the consultation above, two meetings were held with Savills in an attempt to address the concerns they raised to the Preliminary Draft Charging Schedule.

2.6 Consultation Statistics

2.7 A total of 41 respondents made representations to this consultation and raised a total of 69 comments. The table below provide a breakdown of the type of respondent:

Type of respondent	Number of Respondents
Developers or representatives	11
University of Chichester/Chichester College	1
Supermarkets	4
Other agencies or authorities	15
Individuals	10

2.8 The PDCS consultation raised five key consultation questions. All comments received and detailed officer responses can be viewed in full at

<http://chichester-consult.limehouse.co.uk/portal/>

2.9 The following is a broad summary of the key issues raised in response to the consultation:

Q1 Do you agree with the assumptions and methodology used in the CIL? If not, please explain why?

Key Issues:

This raised 17 comments which can be summarised as:

- CIL charge is insufficient to raise sufficient finance to cover the cost of infrastructure required.
- Viability evidence was prepared prior to CIL 2014 (amendment) regulations, and thus needs revisiting.
- Insufficient account has been taken of the more rigorous test of appropriate balance within Regulation 14.
- Inadequate consultation with stakeholders in setting the charge.
- Charge is higher than neighbouring Havant and could displace residential development.
- Care needs to be taken in setting the charge to ensure it won't have an adverse impact on conservation and heritage assets.
- Disagree with assumptions used in viability report.
- Lack of fine grained testing of strategic sites.
- Assumption for S106 of £1,000 per dwelling is too low for strategic development sites. In practice this figure is generally between £5,000 and £10,000 per dwelling.
- Build costs are too low and are not based on the most up to date BCIS data.
- More fine-grained sampling of convenience retailing needs to be undertaken.

How these comments have been reflected in the Draft Charging Schedule

- PBA were commissioned to bring the Viability evidence up to date (including BCIS data) and in line with the CIL 2014 (amendment) regulations.
- More fine-grained testing was undertaken on the strategic development locations in liaison and using information provided by representatives of the development industry, and the assumption for S106 was raised from £1,000 per dwelling to £8,000 per dwelling.

Q2 Do you agree with the proposed CIL rates for:

- (a) Residential – south of the district
- (b) Residential – north of the district
- (c) Industrial
- (d) Retail (wholly or mainly convenience),
- (e) Retail (wholly or mainly comparison),
- (f) Purpose built student accommodation and
- (g) Standard charge (Applies to all development not separately defined)

If not what do you think the rates should be and why?

Key Issues:

This raised 27 comments which can be summarised as:

- Residential rates for the North and South of the district should be the same.
- Proposed rates are too high
- Should be more residential zones to reflect house price differential.
- Residential rates for the north are too high and not justified.
- Residential rates for the south are too high.
- CIL rates for convenience and comparison retail are too high.
- Insufficient account has been taken of site abnormality costs.
- Student accommodation rate is too high, it should be around £25-30 per sqm.
- Strategic sites may require a separate charging zone with a reduced or zero CIL charge.

How these comments have been reflected in the Draft Charging Schedule

- In liaison and using information provided by Chichester University, the Student accommodation rate has been reduced from £60 psqm to £30 psqm.
- The revised viability evidence doesn't support the need for a separate charging zone with a reduced or zero CIL charge, or for any changes to be made to the retail rates.

Q3 Do you have any other comments on the Preliminary Draft Charging Schedule? Please provide reasoning with your answers

Key Issues:

This raised 27 comments which can be summarised as:

- There should be more residential zones in the south of the District to reflect house price differentials
- Request discretionary relief in exceptional circumstances, such as development of brownfield land.
- In view of the infrastructure funding gap, the charging rates should be higher.
- Given 30% affordable housing target, the CIL rates could have a negative impact on viability.

How these comments have been reflected in the Draft Charging Schedule

- The revised viability evidence doesn't indicate that any changes need to be made to reflect these comments.

Q4 Do you have any views on the draft payment by instalments policy (Regulation 69b of the CIL Regulations)? Please give reasoning with your answers.

Key Issues:

This raised 8 comments which can be summarised as:

- The full amount of CIL should be paid prior to first residence.
- Prefer certainty of S106 agreements with triggers to provide necessary timing of infrastructure. Would prefer trigger approach to be applied to CIL also.
- Welcome the approach although the thresholds should be lowered.
- Welcome the approach, but would prefer the instalments to be paid on occupation

of dwellings rather than on dates prior to commencement of development.

- Prefer a developer friendly tiered approach to assist cashflow.

How these comments have been reflected in the draft payment by instalments policy

- The threshold has been lowered to £50,000

Q5 Do you have any comments on the draft regulation 123 list? Please provide reasoning with your answers

Key Issues:

This raised 18 comments which can be summarised as:

- Support/Don't support inclusion of public art.
- Give priority to road safety.
- Use CIL to enhance sewerage network.
- Include maintenance and repairs to heritage assets.
- How is HRA mitigation to be funded.
- Welcome inclusion of flood and coastal erosion risk management infrastructure.
- Welcome inclusion of police facilities
- Requests information on how the CIL will be prioritised.
- Requests inclusion of tree planting and woodland creation.
- Request clearer distinction between modes of transport.
- Request clearer distinction of which primary schools will be excluded from CIL.
- Suggest that libraries are included in category of social infrastructure.

How these comments have been reflected in the Draft Regulation 123 list

- Reference to public art has been removed from the Reg 123 list.
- HRA mitigation has been removed from the Reg 123 list and will be paid via S106.
- Tree planting and woodland creation has been added to the Reg 123 list.
- A clearer distinction has been made between modes of transport, and improvements to the Strategic Road Network have been removed from the regulation 123 list to be funded via S278.
- A clearer distinction has been made to identify which new primary schools will be excluded from the Reg 123 list, and will be paid via S106.
- Libraries have been included in the category of social infrastructure.

3. Consultation on the Draft Charging Schedule

- 3.1 A consultation on the Chichester Draft Charging Schedule (DCS) will take place from 21 November 2014 to 5 January 2015. The purpose of this round of consultation is to get the opinions of local communities, developers and businesses on the final proposed charging schedule.
- 3.2 In line with Regulation 16 of the CIL regulations, before submitting the DCS for Examination, the Council, as the Charging Authority (CA), is required to publish for consultation the DCS along with the relevant evidence on infrastructure costs, other funding sources and economic viability. The CA is also required to publish a statement of the representations procedure, and a statement of the fact that the draft charging schedule and relevant evidence are available for inspection and of the places at which they can be inspected.
- 3.3 This will be the final stage of consultation before the Examination of the DCS, unless further modifications are required, prior to examination. Any further modifications would be subject to a separate consultation/notification process.

Appendix 1

This document has been published via the Council's consultation portal. The link is below.

<http://chichester-consult.limehouse.co.uk/portal/>

Appendix 2 – List of Consultees

Below is a list of organisations that were directly informed of the CIL Preliminary Draft Charging Schedule consultation via email and letter (individuals including councillors are not listed). In addition to this list, the public were informed through a public notice in the local press and through the Council's website.

Contacted by email

Specific Consultation Bodies

- Adur & Worthing Councils
- Arun District Council
- Brighton & Hove City Council
- British Telecommunications
- Chichester Harbour Conservancy
- Civil Aviation Authority
- Coastal West Sussex
- Defence Estates (MOD)
- East Hampshire District Council
- English Heritage
- Environment Agency
- Hampshire County Council
- Havant Borough Council
- Highways Agency
- Home & Communities Agency (HCA)
- Horsham District Council
- Marine Management Organisation
- National Trust
- Natural England
- Network Rail
- NHS Property Services Ltd
- NHS Sussex - Strategic Estates
- Office of Rail Regulation
- Portsmouth Water Ltd
- Scotia Gas Networks
- South Downs National Park Authority
- South East Coast NHS Foundation Ambulance Trust
- South East Water
- Southern Electric Power Distribution plc
- Southern Water
- Sport England South East
- Stagecoach South Head Office
- Surrey County Council
- Sussex Police
- Sussex Wildlife Trust
- Thames Water Utilities Ltd
- Waverley Borough Council

- West Sussex County Council
 - West Sussex Fire And Rescue
 - West Sussex Primary Care Trust
 - Aldingbourne Parish Council
 - Alfold Parish Council
 - Apuldram Parish Council
 - Bersted Parish Council
 - Billingshurst Parish Council
 - Birdham Parish Council
 - Bosham Parish Council
 - Boxgrove Parish Council
 - Chichester City Council
 - Chiddingfold Parish Council
 - Chidham & Hambrook Parish Council
 - Coldwaltham Parish Council
 - Donnington Parish Council
 - Dunsfold Parish Council
 - Earnley Parish Council
 - Eartham Parish Meeting
 - East Wittering And Bracklesham Parish Council
 - Ebernoe Parish Council
 - Fishbourne Parish Council
 - Funtington Parish Council
 - Haslemere Town Council
 - Hunston Parish Council
 - Kirdford Parish Council
 - Lavant Parish Council
 - Loxwood Parish Council
 - Lynchmere Parish Council
 - North Mundham Parish Council
 - Northchapel Parish Council
 - Oving Parish Council
 - Pagham Parish Council
 - Petworth Town Council
 - Plaistow And Ifold Parish Council
 - Pulborough Parish Council
 - Rudgwick Parish Council
 - Selsey Town Council
 - Sidlesham Parish Council
 - Southbourne Parish Council
 - Stoughton Parish Council
 - Tangmere Parish Council
 - West Itchenor Parish Council
 - West Wittering Parish Council
 - Westbourne Parish Council
 - Westhampnett Parish Council
 - Wisborough Green Parish Council
-
- Amberley Parish Council
 - Barlavington Parish Council
 - Bepton Parish Council
 - Bignor Parish Meeting
 - Bramshott And Liphook Parish Council

- Buriton Parish Council
- Bury Parish Council
- Cocking Parish Council
- Compton Parish Council
- Duncton Parish Council
- Easebourne Parish Council
- East Dean Parish Council
- East Lavington Parish Council
- Elsted And Treyford Parish Council
- Fernhurst Parish Council
- Fittleworth Parish Council
- Graffham Parish Council
- Harting Parish Council
- Heyshott Parish Council
- Linch Parish Meeting
- Liss Parish Council
- Lodsworth Parish Council
- Lurgashall Parish Council
- Midhurst Town Council
- Milland Parish Council
- Petersfield Town Council
- Rogate Parish Council
- Rowlands Castle Parish Council
- Stedham With Iping Parish Council
- Steep Parish Council
- Stopham Parish Meeting
- Sutton Parish Council
- Tillington Parish Council
- Trotton With Chithurst Parish Council
- West Dean Parish Council
- West Lavington Parish Council
- Whitehill Town Council
- Woolbeding With Redford Parish Council

Developers/Agents

- A. Else (Building Consultants) Ltd
- Adams Hendry Consulting Ltd
- Adams Integra Ltd
- Alliance Environment & Planning
- Alliance Planning
- Amberley House
- AMEC E & I Ltd
- AMEC Ltd
- Amelia Properties Ltd
- Architects Design + Management
- Barratt and David Wilson Homes
- Barratt Homes
- Barratt Southern Counties
- Barton Willmore
- Barton Willmore LLP
- Batcheller Monkhouse
- Bedford & Upton

- Bell Cornwell Partnership
- Berkeley Strategic Group
- BNP Paribas
- Boyer Planning
- Brookhouse Group
- Bryan Jezeph Consultancy
- CALA Homes (South) Ltd
- Carter Jonas
- Carter Jonas LLP
- CB Richard Ellis
- CB Richard Ellis Ltd
- Chestnut Planning Ltd
- Christopher Strang Associates
- Cirrus Properties Limited
- CLA (Country Land & Business Association)
- Cliff Walsingham And Company
- Clifford Dann LLP
- Cluttons LLP
- CMYK
- Colliers CRE
- Cowdray Estate
- Crest Strategic Projects Ltd
- Croudace Strategic
- D and M Planning
- D2 Planning Limited
- DCPlanning Ltd
- DG Phillips (Bosham) Ltd
- Dixon Searle LLP
- DMH Stallard LLP
- Douglas Briggs Partnership
- Dowsett Mayhew Planning Partnership Ltd
- DPDS Consulting Group
- Drivers Jonas Deloitte
- DTZ
- ECE Planning
- Edward James Foundation
- Elizabeth Lawrence Ltd
- Evison and Company
- First City
- G L Hearn
- G R Planning Consultancy Ltd
- Galloways Chartered Building Consultants
- Genesis Town Planning
- Gladman Developments
- Gleeson Homes
- GleesonStrategic Land
- Goodwood Estate Company Limited
- Gregory Gray Associates
- GVA
- Hallam Land Management Limited
- Hastoe Housing Association Ltd
- Henry Adams
- Henry Adams And Partners

- Henry Adams Planning Ltd
- Hoe Estate Company Ltd
- HPW Partnership Ltd
- Hyland Edgar Driver
- Ian Judd & Partners
- ICENI Projects
- Independent Planning Services
- JB Surveys
- John Cooper Associates
- Jones Lang LaSalle
- JPC Strategic Planning & Leisure
- Kingsbridge Estates Ltd
- Kirkwells
- KYO
- Landlink Estates Ltd
- Les Weymes Planning Consultancy Ltd
- Lucas Land & Planning
- Luken Beck
- Luken Beck Ltd
- Luken Beck MDP Ltd
- Maddox and Associates
- Malcolm Scott Consultants
- McAndrew Martin
- McLaren Clark Group
- Meadows Partnership
- Miller Hughes
- Mono Consultants Ltd
- Neame Sutton Limited
- Network Rail
- Nexus Planning Ltd
- Osborne
- Parker Dann
- Parker Dann Ltd
- Pickup Town Planning
- Planning And Property Consultants Ltd
- Planware Ltd
- Pocket Living
- Premier Marinas (Chichester) Ltd
- Provincial And Western Homes
- PRP Architects Ltd
- PWJ Architects
- Quinton Edwards, Chartered Surveyors
- Rapleys LLP
- Rawleigh Property Management Ltd
- RH And RW Clutton
- Rollinson Planning Consultancy Ltd
- Romans Professional Services
- RPS Group Plc
- RPS Planning & Development
- RUPC Ltd
- Rydon Homes Limited
- Savills
- Savills (Commercial) Limited

- Savills (L+P) Limited
- Savills Plc
- Savills UK
- Seaman Partnership Ltd
- Seaward Properties Ltd
- Sigma Planning Services
- Smiths Gore
- South Eastern Planning Services Ltd
- Southern Planning Practice
- Speer Dade
- Store Property Holding Ltd
- Stratland Management
- Strutt and Parker
- Strutt and Parker LLP
- Studio 5 Architects
- T.M.L. Estates Ltd
- Tarmac Ltd
- Taylor Wimpey Southern Counties
- Taylor Wimpey Strategic Land
- Taylor Wimpey UK Ltd
- Terence O'Rourke Ltd
- The Barlavington Estate
- Thomas Eggar LLP
- Town And Country Planning Solutions
- Turley
- University Of Chichester
- W. Stirland Ltd
- Wates Developments
- West Sussex Growers' Association
- West Waddy ADP
- West Wittering Estate PLC
- Western Sussex Hospitals Trust
- White Young Green
- Woolf Bond Planning
- Woolf Bond Planning LLP

Businesses

- Company / Organisation
- Action For Deafness
- Action In Rural Sussex
- Age Concern Chichester And District
- Blake Laphorn Solicitors
- Bob Mousley Architects
- Bourne Community College
- BREEAM
- Chichester College
- Chichester Haulage
- Citizens Advice Bureau
- CLA (Country Land & Business Association)
- David Thurlow Associates Ltd (PEP)

- DHA Transport
- Elite Helicopters
- FTMINS Chartered Minerals Surveyors
- Fusion Online Ltd
- Goodwood
- Goodwood Motor Circuit
- Hall Hunter Partnership
- Madestein UK Ltd
- Mithril Racing
- MTVideoservices
- Mulberry Divers Ltd
- National Air Traffic Services
- P C Petter & Son
- PH Design
- R & K Birkett
- Riverwell Overseas Investments Inc
- Rolls-Royce Motor Cars Limited
- Scott Dunn
- Sicon Farm Contractors Ltd
- South East Coast Ambulance Service
- Stiles Harold Williams
- Sussex Association Of Local Councils
- Tangmere Airfield Nurseries Limited
- University Of Chichester
- Walton & Co
- West Sussex Local Access Forum (WSLAF)

Community Organisations & Residents Associations

- 4Sight
- Alliance for Green Socialism
- Almodington and Earnley Residents' Action Group
- Birdham & Earnley Flood Prevention Group
- Birdham Neighbourhood Planning Steering Group
- Birdham Village Res Assoc
- Bosham Association
- Bosham Parish Neighbourhood Plan Project Team
- Brandy Hole Copse LNR Management Board
- British Horse Society
- Campaign Against Over Development In Selsey CAODIS
- Campaign for Real Ale
- CCCI
- Chalk Lane And Cow Lane Management Ltd
- Chichester & District Society of Model Engineers
- Chichester Access Group
- Chichester and Bognor Green Party
- Chichester City Centre Partnership
- Chichester Conservation Area Advisory Committee
- Chichester District CPRE
- Chichester Residents' Associations Group (CRAG)
- ChiCycle & 20's Plenty for Chichester
- ChiCycle Forum
- Christian Care Association

- Churches Together in Sussex
- Council for British Archaeology
- CPRE Sussex
- CPRE Sussex - Chichester District Committee
- East Broyle Residents' Association
- Emsworth Residents Association
- Federation Of Small Businesses
- Fittleworth and District Association
- Friends of Brandy Hole Copse
- Friends of Chichester Harbour
- Friends of Pagham Harbour
- Friends, Families & Travellers
- Graylingwell Park Residents Association
- HDRA
- High Trees (Fittleworth) Management Co Ltd
- Independant Living Association (formally WSAD)
- Kirdford CLP
- Kirdford Parish Neighbourhood Plan Steering Group
- Loxwood Society
- Manhood Peninsula Partnership
- Manhood Wildlife and Heritage Group
- MARRA
- National Farmers Union
- National Federation of Gypsy Liaison Groups
- North Hall Managemnet Committee
- Open Space Society
- Orchard Street and Old Somerstown Area Residents' Association
- Parklands Residents Association
- Parklands Surgery
- Patient Participation Group
- Petworth Society
- Plaistow Village Trust
- Ramblers Sussex Area
- Richmond Park Residents Association
- Royal British Legion
- RSPB
- Solent Protection Society
- South Coast Design Forum
- South Downs Society
- Southern Gateway Residents' Association
- Summersdale Residents Assocation
- Sussex Enterprise
- Sussex Gardens Trust
- Sussex Partnership NHS Trust
- Sussex Wildlife Trust
- Sustrans
- The Almodington Association
- The Chichester Society
- The Fernhurst Centre
- The Itchenor Society
- The Lynchmere Society
- The Theatres Trust
- The Woodhorn Group

- Transition Chichester
- Traveller Law Reform Project
- Voluntary and Community Action Chichester District
- Walk England
- West Sussex Youth Service
- West Wittering Residents Association
- Wey and Arun Canal Trust
- Woodland Trust

Contacted by post

- ANA Architecture
- Beemond Properties
- British Telecommunications
- Hambrook District Residents Association
- Houghton Parish Meeting
- Lavant Horticultural Society
- Madehurst Parish Meeting
- Marden Parish Meeting
- Planning Inspectorate
- Royal British Legion
- The March CE Primary School
- Upwaltham Parish Meeting
- Woodmancote Residents Association

Appendix 3 – Public Press Notice



Chichester District Council has prepared a Community Infrastructure Levy Preliminary Draft Charging Schedule for public consultation. The Community Infrastructure Levy (CIL) Regulations enable local authorities to set a levy on new development which is used to contribute to the costs of community infrastructure such as roads, schools and parks.

The Council has been working on setting a levy alongside the Draft Chichester Local Plan: Key Policies. The Preliminary Draft Charging Schedule relates to Chichester District, excluding the area within the South Downs National Park.

The Council is inviting views on the Preliminary Draft Charging Schedule, draft payments by instalments policy and draft regulation 123 list, both included as annexes to the Preliminary Draft Charging Schedule.

The period for submission of representations will run from **9.00am Monday 17 March 2014** until **Wednesday 23 April 2014**. Representations should arrive no later than **5.00pm on 23 April 2014**. Anonymous comments or comments received outside these dates will not be accepted.

Comments can be made on the document on our consultation portal: http://chichester.limehouse.co.uk/portal/local_plan/cil_pdc. Alternatively, the document and official response forms can be downloaded from the Council's website <http://www.chichester.gov.uk/cil/>, or are available to view in the District Council's Main Office, Area Offices and at local libraries during opening hours. Hard copies are available to purchase upon request.

Representations should be made online, or by filling in the official response form. We can only accept comments made in writing. Additional forms can be obtained from the Council's website, by telephoning the Planning Policy team on 01243 534571 or by e-mailing planningpolicy@chichester.gov.uk.