

Date: 16 April 2015
Our Ref: 147768



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BY EMAIL ONLY



Dear Hilary

WEST DORSET, WEYMOUTH & PORTLAND COMMUNITY INFRASTRUCTURE LEVY (CIL) MODIFICATIONS CONSULTATION

Thank you for consulting Natural England on the aforementioned proposed CIL modifications. Your consultation was received on 12 March 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has the following comments relating to the proposed modifications:

**Modification 1
Paragraph 3.2**

Over the duration of the Local Plan additional large urban extension sites may come forward which would most appropriately be dealt with in the manner outlined in this paragraph. A minor textual modification should be considered to give your authority greater flexibility.

Modification 2

Natural England draws the authorities attention to the approach being taken by the SE Dorset authorities in the draft Dorset Heathlands Planning Framework SPD 2015.

The authorities have noted advice from Natural England concerning the provision of Strategic Access Management and Monitoring (SAMM). The attached legal opinion indicates that such mitigation may not be considered as infrastructure under the CIL Regulations (**NB the legal opinion is privileged information and should not be made widely available**). They have therefore removed this element from their CIL Schedule 123 list which allows this to be secured through S106 contributions. This has a benefit of securing contributions from developments which require mitigation, but are exempted through CIL. Such developments would necessitate a further demand on the CIL resource.

Infrastructure such as SANG continues to be funded through the CIL mechanism in all the SE Dorset authorities.

In addition it is not clear to Natural England that the authority has fully stated the requirement to secure European/international site protection measures as a priority within the CIL resources. This is stated

clearly within the CIL documentation produced by the Borough of Poole ref: Delivering Poole's Infrastructure, Development Plan Document July 2011, paragraphs 2.18 – 2.20 Establishing an Infrastructure Hierarchy.

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The provision of infrastructure for mitigation on the Dorset heaths and Poole Harbour is welcomed, we advise that the authority insert the other relevant designations in accordance with Government policy. For Poole Harbour you should include the SPA and Ramsar designations and for the Dorset Heathlands SPA, Ramsar and Dorset Heaths SAC.

For any queries relating to the specific advice in this letter please contact John Stobart on [REDACTED]

[REDACTED] For any new consultations or issues, please contact [REDACTED]

Yours sincerely

John Stobart
Planning and Conservation Lead Advisor

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