

**South Oxfordshire District Council****Community Infrastructure Levy Charging Schedule - Examination****Letter to the Council from the Examiner 19<sup>th</sup> August 2015**

Dear Ms Wetzstein,

**SOUTH OXFORDSHIRE CIL EXAMINATION**

Thank you for your and your colleague's contributions at the Hearing session on 29 July 2015. Following the Hearing session, I am writing for two purposes. Firstly, to confirm the scope of the further work/additional information that the Council agreed to provide, following the close of the Hearing session. Secondly, to seek your views on potential implications arising from recent changes to the Planning Practice Guidance on planning obligations.

**1. Further work/additional information**

At the Hearing I indicated that consultation would be required on a number of the items. On reflection I consider that it would be prudent for the Council to carry out consultation on all the new evidence/items. This includes items 8 and 9 (see list below) which relate to the Council's informal opinion on several matters which I sought during the Hearing session, on which the Council requested additional time to respond to. Allowing people to comment on all items will ensure openness and transparency in the process.

At the Hearing session I requested further information from the Council relating to the viability of small sites with no affordable housing, in the context of the requirement in the PPG that developer contributions such as affordable housing should not be sought from schemes of 10 or less units. However, since the Hearing has taken place changes have been made to the PPG to remove this requirement, in response to the High Court judgement of 31 July 2015 (West Berkshire District Council and Reading District Council v SSCLG). In this context I am not convinced that there is a need to provide this additional information on small site viability. I have therefore omitted this information item from the list below. Although please note my question relating to this issue under section 2 of this letter.

I look forward to hearing from you regarding the proposed timetable for provision of the information items in the attached list. It would also be appreciated if you could confirm how you propose to carry out the consultation.

At the Hearing it was agreed that a number of additional evidence items would be provided by Savills and Boyer Planning (see end of the attached list). Once you have confirmed your timescales for providing the evidence listed below, I will ask the Programme Officer to write to these parties to request that their evidence is provided within the same timescales, and placed on the Council's website.

## 2. Residential rates and affordable housing

In the context of the above referenced High Court judgement and recent changes to the PPG relating to planning obligations, does the Council consider there any implications for the setting of residential rates in the South Oxfordshire Draft Charging Schedule?

In order to inform my conclusions on this matter, I have asked for this letter to be forwarded to all representors who submitted comments on the proposed residential rates within the South Oxfordshire CIL. Specific comments by representors relating to the above matter should be sent to the Programme Officer by **4 September 2015**. The Charging Authority should also respond by the same date.

If you have any further questions regarding this letter or the next steps, please do not hesitate to contact me via the Programme Officer.

*Katie Child*

EXAMINER

18 August 2015

<b>Further evidence/information from the Council, requested by the Examiner</b>	
1	Evidence on historical densities.
2	Site sensitivity testing of densities.
3	Note on the 3 strategic sites – ‘outline’ viability workings, informed by the latest information on infrastructure costs per dwelling.
4	Evidence relating to garage provision on new developments in Didcot
5	Residential viability buffers - table of results for all typologies and locations, where the buffer is expressed as the % difference between the proposed CIL rate (per m2) and the maximum CIL rate (per m2) that could be charged.
6	Office lettings – evidence of rental values being achieved.
7	Historical evidence relating to Section 106 agreements achieved for supermarket/retail warehouse development.
8	Student accommodation – the Council’s informal opinion regarding potential preferred alternative wording in the Charging Schedule that would allow student accommodation to be excluded from a CIL charge, should such an approach be recommended as a modification.
9	Office development – the Council’s informal opinion on where the office charge should be set, if the Examiner were to conclude that the proposed CIL office charge is not supported by the viability evidence.

<b>Further evidence proposed to be submitted by other parties</b>	
Savills	Evidence relating to garage build costs
Boyer Planning	Evidence on Section 106 costings for specific sites