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04 June 2015

BY EMAIL ONLY: planning.policy@southoxon.gov.uk

Dear Sir/Madam,

**SOUTH OXFORDSHIRE DISTRICT COUNCIL: PUBLIC CONSULTATION ON MINOR
MODIFICATIONS TO THE COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING
SCHEDULE (JUNE 2015)**
REPRESENTATIONS ON BEHALF OF MR AND MRS COOK

Thank you for providing us with the opportunity to comment on the Council's minor modifications to the CIL DCS ahead of submission for examination. As before, I write on behalf of my clients Mr and Mrs Cook.

We are disappointed that our comments on the previous draft have not led to a revision of the rates of CIL proposed within the DCS. As such our concerns set out in our letter dated 26th March 2015 remain, and are reiterated below for reference.

The Draft Charging Schedule

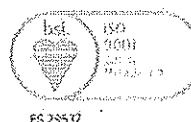
Proposed Rates

Mr and Mrs Cook are disappointed to see that the rates set out in the DCS for residential development remain unchanged (with the exception of Extra Care) from the Preliminary Draft Charging Schedule (PDCS). This is in spite of a number of issues regarding the validity of the viability appraisal's approach and conclusions raised by ourselves and other interested parties.

We would like to reiterate that we believe a more detailed appraisal taking greater account of local characteristics should be carried out to ensure that viability is maintained in areas with sales values that are low relative to the rest of the district (including Shillingford).

Appraisal Assumptions

In our representations made to the PDCS consultation in November 2014 we raised a number of concerns with the approach taken in the viability study. There appears to have been no further appraisal work carried out despite objections.



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The Benchmark Land Values applied are unrealistically low, and do not reflect the fact that South Oxfordshire is a high value area. If more appropriate benchmark values were incorporated into the viability appraisal, it is likely that development in areas with more marginal viability cases (such as Shillingford) would become unviable at the proposed rates.

The allowance for Section 106 costs within the appraisal is also insufficient; whilst many items currently funded through Section 106 would be funded by CIL, site-specific costs are still likely to greatly exceed the £1,000 per unit applied within the appraisal.

Finally, the evidence presented in the viability study suggests that certain scenarios would not be able to support CIL and 40% affordable housing. Given the importance of the district securing as much affordable housing as possible, a lower rate of CIL should be considered.

Charging Zones

We also raised concerns around the simplistic approach taken towards setting charging zones. The Viability Study recommended three zones be used, which distinguished between the high value area in the south east of the district, the low value areas of Didcot and Berinsfield and Other Settlements/Rural Areas. Adopting just two charging zones threatens development particularly in the Other Settlements/Rural Areas zone, where viability is likely to be marginal.

Instalments Policy

The introduction of an instalments policy is welcomed and is seen as a positive step. However, we suggest that a policy based on unit completions, as opposed to time elapsed from commencement, would be more appropriate. A unit-based policy mitigates some of the risk associated with commencing development, whereas under a time-based policy the developer risks being liable for CIL even if the development hits problems. A unit-based policy is therefore more likely to result in much-needed dwellings being brought forward for development than a time-based policy.

Summary

Mr and Mrs Cook are concerned that development will be put at risk by the Council's proposed CIL charges, and that flaws in the viability appraisal originally highlighted at the PDCS consultation stage mean that it is not truly representative of the varying market conditions found in different parts of the district.

Further to these concerns, we wish to be heard at the Public Examination, and request the opportunity to participate in the hearing sessions through written representations and attendance.

We trust that the above representations are acceptable and await confirmation of their receipt. In the meantime, should the Council have any queries or require any further clarification on the above matters, please do not hesitate to contact me.

Yours faithfully,



MORGAN REECE
Senior Researcher